



November 12, 1987. The underlined text above is the phrase inadvertently omitted from the earlier document.


Kevin W. Boyd OBA 1022
Michael K. Huggins OBA 4458
Attorneys for Plaintiffs
P. O. Box 2888
Tulsa, OK 74101


J. Peter Messler
16 East 16
Tulsa, OK 74119

Attorney for Defendant
ROLAND MARTIN ENTERPRISES,
INC., ROLAND MARTIN and
VIDEO SOUTH, INC.


Steven K. Balman

Conner & Winters
2400 First National Tower
Tulsa, OK 74103

Attorney for Defendant
F. RANDOLPH VESTAL, INC.,
d/b/a CINESPORT, INC.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

Entered
FILED

FEB 12 1988

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PROGRAMME CENTRE, INC., et al.,

Defendants.

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

CIVIL ACTION NO. 87-C-1010-C

NOTICE OF DISMISSAL

COMES NOW the Plaintiff, United States of America, by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney, and hereby gives notice that the Defendant, Anderson Development Co., an Oklahoma corporation, is hereby dismissed from this foreclosure proceeding pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. The Plaintiff would further advise the Court that the Plaintiff has been made aware that a Release and Satisfaction of Judgment was filed September 25, 1987, in the District Court, Tulsa County, State of Oklahoma, in Case No. CJ-84-2851 and releases the Journal Entry of Judgment filed October 3, 1984, and recorded on October 15, 1984, in Book 4823 at Page 697 in the records of the County Clerk of Tulsa County, Oklahoma, in the sum of \$7,500.00.

UNITED STATES OF AMERICA

TONY M. GRAHAM
United States Attorney

Phil Pinnell
PHIL PINNELL
Assistant United States Attorney
3600 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463


CERTIFICATE OF SERVICE

This is to certify that on the 12th day of February, 1988, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to:

Programme Centre, Inc.
3303 East 70th
Tulsa, OK 74136

Alvin W. Roberts
Connie S. Roberts
3303 East 70th
Tulsa, OK 74136

Anderson Development Company
5932 East Skelly Drive
Tulsa, OK 74135


Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEB 12 1988

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

ORVAL PARKER,

Plaintiff,

vs.

THE GATES RUBBER COMPANY, a
Colorado Corporation, UNISYS
CORPORATION, a Delaware
Corporation, NEW HOLLAND INC.,
a Delaware Corporation, and
FORD MOTOR COMPANY, a
Delaware Corporation,

Defendants.

No. 87-C-998-B

RELEASE AND DISMISSAL AS TO ONE OF SEVERAL
JOINT TORT FEASORS

Know All Men by These Presents:

That I, Orval Parker, in consideration of \$27,000 to me in hand paid by Gates Rubber Company, a Colorado Corporation, have released and discharged, and do for myself, my heirs, executors, administrators and assigns, release and forever discharge the said Gates Rubber Company, The Gates Corporation, and all subsidiaries of either, and all their directors, officers, employees and insurers from all present or future injuries, claims, demands, damages, actions or causes of action of any kind arising out of an incident on November 3, 1985 involving a hydraulic system and hose ("the incident").

This Release covers all injuries and damages, whether known or not, which may appear or develop from my injuries arising out of the incident. The above sum is all that I will receive from the released companies and individuals named above.

I will hold harmless the above named companies and individuals from all liability for contribution or indemnity to any person or entity asserting a claim or lawsuit, related to the incident, against one or more of the above named companies and individuals.

It is the purpose and intent of this agreement not to release or settle any claims I have against all other Defendants named in the caption hereof for injuries sustained by me in said accident, and any such claim or cause of action against all other Defendants herein named is hereby expressly reserved as provided by 12 O.S. §832 H (1) and (2).

I hereby dismiss with prejudice my cause of action as to Gates Rubber Company only.

I have read this Release. I understand it and agree to it of my free will.

2/1/88 Orval Parker
Plaintiff

David Charney
David Charney,
Attorney for Plaintiff
P.O. Box 116
Owasso, Oklahoma 74055
918-272-5338
OBA NO. 10759

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 12 1988

Jack C. Silver, Clerk
U. S. DISTRICT COURT

AETNA LIFE INSURANCE COMPANY,)

Plaintiff,)

vs.)

LACRETA HILL and COLLEEN HARMON,)

Defendants.)

No. 87-C-838-B

AMENDED JOURNAL ENTRY OF JUDGMENT

NOW on this 12th day of February, 1987, this matter comes on for decision and distribution of funds interpled by Aetna Life Insurance Company. After reviewing the file and by agreement of counsel, the court finds: Aetna Life Insurance Company, the Plaintiff herein, has deposited with the Court Clerk of the United States District Court for the Northern District of Oklahoma the sum of THIRTEEN THOUSAND AND NO/100 DOLLARS (\$13,000.00) which was placed in an interest bearing account, representing the full limits of liability under a life insurance policy issued on the life of Ralph Marion Hill, which fund is exposed as a result of the death of said Ralph Marion Hill, wherein both Defendants, Lacreata Hill and Colleen Harmon, were claiming proceeds of the fund. The court further finds that the Defendant, Lacreata Hill, has executed and filed a Waiver and Disclaimer of Proceeds Deposited by Plaintiff, and claims no right, demand or interest in the fund and in fact waives any rights, claims or demand she might have to said fund. The court finds that the entire proceeds of the fund should go to the Defendant, Colleen

Harmon. The court further finds that Colleen Harmon has agreed to pay out of said fund the funeral expenses incurred on behalf of Ralph Marion Hill, offset by her legal fees, in the amount of TWO THOUSAND THREE HUNDRED TWELVE AND 42/100 DOLLARS (\$2,312.42).

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that Lacreata Hill, based on her execution and filing of a Waiver and Disclaimer of the Proceeds herein, be awarded nothing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the Defendant, Colleen Harmon, be awarded THIRTEEN THOUSAND AND NO/100 DOLLARS (\$13,000.00).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that of the THIRTEEN THOUSAND AND NO/100 DOLLARS (\$13,000.00) awarded to Colleen Harmon, TWO THOUSAND THREE HUNDRED TWELVE AND 42/100 DOLLARS (\$2,312.42), representing funeral expenses for the death of Ralph Marion Hill net of her legal fees, will be paid out of said fund by Colleen Harmon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the Plaintiff, Aetna Life Insurance Company, is hereby released and dismissed from any and all responsibility, liability and payment to any named or unnamed claimants that have or might have an interest in the fund.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that each party will bear its own costs and fees.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the court clerk is hereby directed to disperse said fund herein in the

amount of \$13,000.00 plus interest payable to Colleen Harmon, c/o
Wylie J. Neal, 5001 E. 68th Street, Suite 200, Tulsa, Oklahoma.

S/ THOMAS R. BRETT

JUDGE OF THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

WYLIE J. NEAL

Attorney for Colleen Harmon

STEPHEN C. WILKERSON

Stephen C. Wilkerson

Attorney for Aetna Life
Insurance Company

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEDERAL DEPOSIT INSURANCE
CORPORATION, in its corporate
capacity,

Plaintiff,

vs.

W. F. MARTIN, an individual,

Defendant and Counter-
Plaintiff,

vs.

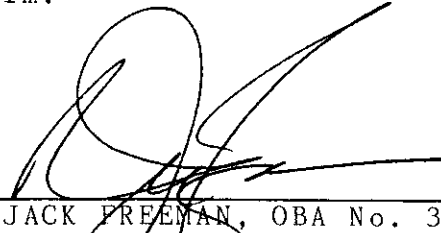
STEPHEN C. SIMS, an individual,
and FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver for
FIRST NATIONAL BANK OF SAPULPA,
a national banking association,

Counter-Defendants.

No. 87-C-244 B

Notice of DISMISSAL

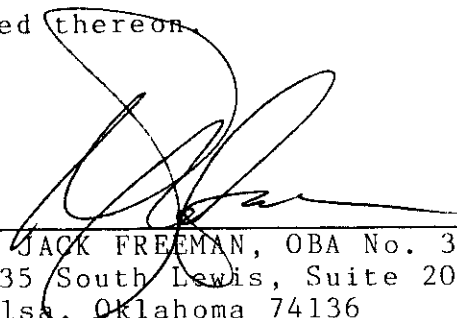
COMES NOW W. F. Martin, counterplaintiff, and hereby
dismisses his claim for "wrongful discharge" which is asserted in
paragraph 1 of the amended counterclaim.



R. JACK FREEMAN, OBA No. 3128
7335 South Lewis, Suite 204
Tulsa, Oklahoma 74136
(918) 481-3555
Attorney for W. F. Martin

CERTIFICATE OF MAILING

I hereby certify that on the 12^R day of February, 1988, a true and correct copy of the above and foregoing Dismissal was mailed to attorney for FDIC, Bradley K. Beasley, Boesche, McDermott & Eskridge, 800 Oneok Plaza, 100 West Fifth St., Tulsa, OK 74103; and attorney for Stephen C. Sims, Michael J. Fong, DeSpain & Moss, 123 Park Ave., Suite 300, Oklahoma City, OK 73102, with sufficient postage affixed thereon.



R. JACK FREEMAN, OBA No. 3128
7335 South Lewis, Suite 204
Tulsa, Oklahoma 74136
(918) 481-3555
Attorney for W. F. Martin

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 12 1988

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

FIRST REPUBLICBANK DALLAS, N.A.)
formerly Republic National Bank)
of Dallas, Trustee of the Bruce)
Alan MacNaughton Trust,)

Plaintiff,)

vs.)

No. 87-C-928-B

MACMEN, INC., d/b/a MECO Metal)
Products, Inc.,)

Defendant.)

DEFAULT JUDGMENT

This matter comes before the Court on Plaintiff's Motion for Default Judgment. Being advised in the premises, the Court finds the following:

Defendant, MACMEN, Inc., d/b/a MECO Metal Products, Inc., was properly served by personal service on its President, Jerry L. Hensley on January 5, 1988, with a copy of the Complaint and summons informing it of the need to answer within 20 days of the date of service or be held in default. The return of service has been filed and the court record shows proof of proper service. Further, the Clerk of this Court certified a judgment by default on February 1, 1988.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Default Judgment is sustained. Default Judgment is hereby entered against Defendant, MACMEN, Inc., d/b/a MECO Metal Products, Inc., in favor of Plaintiff, First RepublicBank Dallas, N.A., formerly Republic National Bank of Dallas, Trustee of the Bruce Alan MacNaughton Trust for the total amount of \$61,000, calculated as follows:

- Count I: Default Judgment in the amount of \$14,000, plus interest at the rate of 15% per annum from March 5, 1987 to date of judgment, and post-judgment interest at the rate of 15 % per annum;
- Count II: Default Judgment in the amount of \$8,000, plus interest at the rate of 15% per annum from March 13, 1987 to date of judgment, and post-judgment interest at the rate of 15 % per annum;
- Count III: Default Judgment in the amount of \$9,000 plus interest at the rate of 15% per annum from April 1, 1987 to date of judgment, and post-judgment interest at the rate of 15 % per annum;
- Count IV: Default Judgment in the amount of \$10,000 plus interest at the rate of 15% per annum from April 20, 1987 to date of judgment, and post-judgment interest at the rate of 15 % per annum;
- Count V: Default Judgment in the amount of \$5,000 plus interest at the rate of 15% per annum from May 22, 1987 to date of judgment, and post-judgment interest at the rate of 15 % per annum;
- Count VI: Default Judgment in the amount of \$15,000 plus interest at the rate of 15% per annum from June 29, 1987 to date of judgment, and post-judgment interest at the rate of 15 % per annum.

Further, Plaintiff is entitled to its reasonable attorneys' fees pursuant to 12 O.S. §936 and costs of the action.

S/ THOMAS R. BRETT
THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JERRY HOUSTON MABRY; JULIA
MARGARET MABRY; ARLENE W. SCOTT
f/k/a ARLENE RICHARDSON; CITY
FINANCE COMPANY OF OKLAHOMA,
INC.; TULSA ADJUSTMENT BUREAU,
INC.; GENERAL MOTORS ACCEPTANCE
CORPORATION; COUNTY TREASURER,
Tulsa County, Oklahoma; and
BOARD OF COUNTY COMMISSIONERS,
Tulsa County, Oklahoma,

Defendants.

FILED

FEB 11 1988

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

CIVIL ACTION NO. 87-C-828-B

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 11th day
of February, 1988. The Plaintiff appears by Tony M.
Graham, United States Attorney for the Northern District of
Oklahoma, through Peter Bernhardt, Assistant United States
Attorney; the Defendants, County Treasurer, Tulsa County,
Oklahoma, and Board of County Commissioners, Tulsa County,
Oklahoma, appear by Doris L. Fransein, Assistant District
Attorney, Tulsa County, Oklahoma; the Defendants, Jerry Houston
Mabry and Julia Margaret Mabry, appear by their attorney
Joe Francis; the Defendant, City Finance Company of Oklahoma,
Inc., appears not, having previously filed its Disclaimer; the
Defendant, Tulsa Adjustment Bureau, Inc., appears not, having
previously filed its Disclaimer; the Defendant, General Motors
Acceptance Corporation, appears by its attorney Brian J. Rayment;
and the Defendant, Arlene W. Scott f/k/a Arlene Richardson,
appears not, but makes default.

The Court being fully advised and having examined the file herein finds that the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, acknowledged receipt of Summons and Complaint on October 21, 1987; that the Defendant, Arlene W. Scott f/k/a Arlene Richardson, was served with Summons and Complaint on December 29, 1987; that the Defendant, General Motors Acceptance Corporation, acknowledged receipt of Summons and Complaint on October 15, 1987; that Defendant, County Treasurer, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on October 9, 1987; and that Defendant, Board of County Commissioners, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on October 8, 1987.

It appears that the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, filed their Answers herein on October 27, 1987; that the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, filed their Separate Answer and Cross-Complaint herein on October 29, 1987; that the Defendant, City Finance Company of Oklahoma, filed its Disclaimer herein on November 17, 1987; that the Defendant, Tulsa Adjustment Bureau, Inc., filed its Disclaimer herein on November 17, 1987; that the Defendant, General Motors Acceptance Corporation, filed its Answer and Counterclaim herein on October 29, 1987; that Plaintiff, United States of America, filed its Answer to Cross-Claim of General Motors Acceptance Corporation herein on November 4, 1987; and that the Defendant, Arlene W. Scott f/k/a Arlene Richardson, has

failed to answer and her default has therefore been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a certain mortgage note and for foreclosure of a mortgage securing said mortgage note upon the following described real property located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Twenty-six (26), Block Sixty-one (61),
VALLEY VIEW ACRES THIRD ADDITION to the City
of Tulsa, Tulsa County, Oklahoma, according
to the recorded plat thereof.

The Court further finds that on September 16, 1963, the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, their mortgage note in the amount of \$10,600.00, payable in monthly installments, with interest thereon at the rate of 5.25 percent per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, a mortgage dated September 16, 1963, covering the above-described property. Said mortgage was recorded on September 17, 1963, in Book 3379, Page 257, in the records of Tulsa County, Oklahoma.

The Court further finds that the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, made default under the terms of the aforesaid note and mortgage by reason of their

failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, are indebted to the Plaintiff in the principal sum of \$4,438.95, plus interest at the rate of 5.25 percent per annum from July 1, 1986 until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

The Court further finds that the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, claim a right to the property by virtue of a second real estate mortgage dated October 2, 1972, and recorded on May 7, 1973, in Book 4067, Page 1663 in the records of Tulsa County, Oklahoma and by virtue of a Journal Entry of Judgment against Arlene W. Scott in the amount of \$1,969.47, Case No. 81-2449, dated December 2, 1981, and filed in the District Court in and for Tulsa County, State of Oklahoma on December 3, 1981. Said interest is inferior to the interest of the Plaintiff, United States of America.

The Court further finds that the Defendant, Arlene W. Scott f/k/a Arlene Richardson, is in default and has no right, title, or interest in the subject real property.

The Court further finds that the Defendants, City Finance Company of Oklahoma and Tulsa Adjustment Bureau, Inc., disclaim any right, title, or interest in the subject real property.

The Court further finds that the Defendant, General Motors Acceptance Corporation, has a lien on the subject real property by virtue of a judgment dated January 14, 1985, and

recorded on January 22, 1985, in Book 4840, Page 2706 in the records of Tulsa County, Oklahoma, Case No. CS-84-5302, against the Defendant, Arlene W. Scott f/k/a Arlene Richardson, in the principal sum of \$3,414.22, with interest thereon at the rate of 18.07 percent per annum from the date of judgment, a reasonable attorney's fee in the amount of \$512.13, and costs of this action.

The Court further finds that the Defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, claim no right, title, or interest in the subject real property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment in rem in the principal sum of \$4,438.95, plus interest at the rate of 5.25 percent per annum from July 1, 1986 until judgment, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, have and recover judgment against the Defendant, Arlene W. Scott f/k/a Arlene Richardson, in the amount of \$1,969.47, plus costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, General Motors Acceptance Corporation, have and recover judgment against the Defendant, Arlene W. Scott f/k/a Arlene Richardson, in the amount of \$3,414.22, with interest thereon at the rate of 18.07 percent per annum from the date of judgment, a reasonable attorney's fee in the amount of \$512.13, and costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, Arlene W. Scott f/k/a Arlene Richardson, City Finance Company of Oklahoma, Tulsa Adjustment Bureau, Inc., and County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, have no right, title, or interest in the subject real property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the sale as follows:

First:

In payment of the costs of this action accrued and accruing incurred by the Plaintiff, including the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff;

Third:

In payment of the Defendants, Jerry Houston Mabry and Julia Margaret Mabry, in the amount of \$1,969.47, plus costs of this action;

Fourth:

In payment of the Defendant, General Motors Acceptance Corporation, in the amount of \$3,414.22, with interest thereon at the rate of 18.07 percent per annum from the date of judgment, a reasonable attorney's fee in the amount of \$512.13, and costs of this action.

The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further Order of the Court.

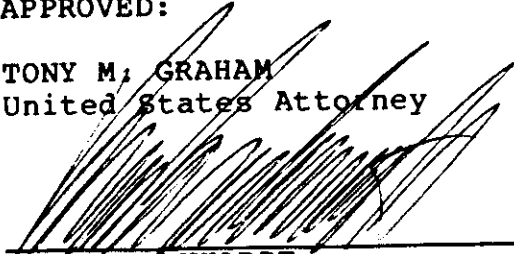


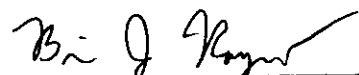
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED:

TONY M. GRAHAM
United States Attorney


PETER BERNHARDT
Assistant United States Attorney
DORIS L. FRANSEIN
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Tulsa County, Oklahoma
JOE FRANCIS
Attorney for Defendants,
Jerry Houston Mabry and
Julia Margaret Mabry
BRIAN J. RAYMENT
Attorney for Defendant,
General Motors Acceptance Corporation

PB/css

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAMES BERRY and SHERRY BERRY,)
)
 Plaintiffs,)
)
 v.)
)
 WINCHELL'S DONUT HOUSE, a)
 division of Denny's, Inc.,)
 a corporation,)
)
 Defendant.)

No. 87-C-841-B

FILED

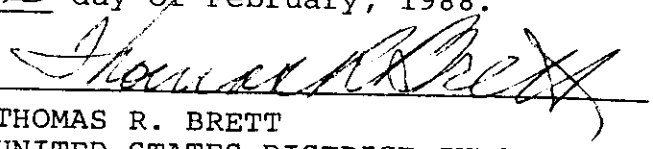
FEB 11 1988

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

O R D E R

This matter comes before the Court on Defendant Winchell's Donut House's motion to dismiss. The Court has thoroughly reviewed the state court petition which was removed to this court. The Court finds from the face of the petition that the statute of limitations has run on all claims. The employment termination, which is the basis for all claims, occurred in April 1980. 12 Okl.St. Ann. §95 sets forth the statute of limitations for tort claims, oral contract claims and written contract claims. Even when taking all of the allegations in the petition as true, Plaintiffs did not allege in the petition that the claims were not barred by the applicable statute of limitations. Rule 12(b)(6) motion to dismiss is an appropriate method for raising a statute of limitations defense. Mann v. Adams Realty, 556 F.2d 288 (5th Cir. 1977). Therefore, this case is dismissed.

IT IS SO ORDERED, this 12th day of February, 1988.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 11 1988

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

FLEET FINANCE, INC., a
corporation,

Plaintiff,

v.

JAMES E. MASON, JR., HELEN
LOUISE PARKER; and COUNTY
TREASURER, TULSA COUNTY, STATE
OF OKLAHOMA,

Defendants.

Case No. 87-C-406-B

FLEET FINANCE, INC., a
corporation,

Plaintiff,

v.

JAMES E. MASON, JR., WILMA
BASSETT, and COUNTY TREASURER
TULSA COUNTY, STATE OF OKLAHOMA,

Defendants.

Case No. 87-C-407-B
(Consolidated with
87-C-406-B)

FLEET FINANCE, INC., a
corporation,

Plaintiff,

v.

WILLIAM E. NEWTON and
CHARLOTTE NEWTON, husband and
wife, SARAH ANN JOHNSON, a
single person, and COUNTY
TREASURER, TULSA COUNTY
STATE OF OKLAHOMA,

Defendants.

Case No. 87-C-428-E ✓
(Consolidated with
87-C-406-B)

JOINT STIPULATION OF DISMISSAL

The Plaintiff, Fleet Finance, Inc., and the Defendants, Sarah
Ann Johnson and County Treasurer, Tulsa County, State of Oklahoma,

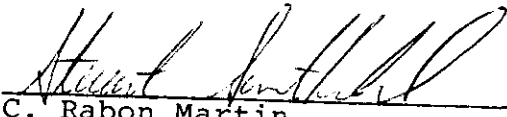
by and through their respective counsel, pursuant to the provisions of Rule 41(a)(1), Fed. R. Civ. P., hereby dismiss their Complaint for Foreclosure and any and all counterclaims and cross-claims against one another, such dismissal to be without prejudice to any subsequent refiling.

DOERNER, STUART, SAUNDERS
DANIEL & ANDERSON

By 

James P. McCann
1000 Atlas Life Building
Tulsa, Oklahoma 74103
(918) 582-1211

Attorneys for Plaintiff Fleet
Finance, Inc.


C. Rabon Martin

Stuart Southerland
1023 West 23rd Street
Tulsa, Oklahoma 74107-2819

Attorneys for Defendant
Sarah Ann Johnson

David Moss
District Attorney

By 

Doris L. Fransein
406 Tulsa County Courthouse
Tulsa, Oklahoma 74103

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED
FEB 11 1968

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

FLEET FINANCE, INC., a
corporation,

Plaintiff,

v.

JAMES E. MASON, JR., HELEN
LOUISE PARKER; and COUNTY
TREASURER, TULSA COUNTY, STATE
OF OKLAHOMA,

Defendants.

Case No. 87-C-406-B

FLEET FINANCE, INC., a
corporation,

Plaintiff,

v.

JAMES E. MASON, JR., WILMA
BASSETT, and COUNTY TREASURER
TULSA COUNTY, STATE OF OKLAHOMA,

Defendants.

Case No. 87-C-407-B
(Consolidated with
87-C-406-B)

FLEET FINANCE, INC., a
corporation,

Plaintiff,

v.

WILLIAM E. NEWTON and
CHARLOTTE NEWTON, husband and
wife, SARAH ANN JOHNSON, a
single person, and COUNTY
TREASURER, TULSA COUNTY,
STATE OF OKLAHOMA,

Defendants.

Case No. 87-C-428-E
(Consolidated with
87-C-406-B)

JOINT STIPULATION OF DISMISSAL

The Plaintiff, Fleet Finance, Inc., and the Defendants, Sarah
Ann Johnson and County Treasurer, Tulsa County, State of Oklahoma,

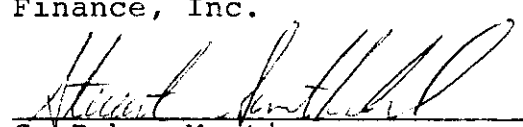
by and through their respective counsel, pursuant to the provisions of Rule 41(a)(1), Fed. R. Civ. P., hereby dismiss their Complaint for Foreclosure and any and all counterclaims and cross-claims against one another, such dismissal to be without prejudice to any subsequent refiling.

DOERNER, STUART, SAUNDERS
DANIEL & ANDERSON

By 

James P. McCann
1000 Atlas Life Building
Tulsa, Oklahoma 74103
(918) 582-1211

Attorneys for Plaintiff Fleet
Finance, Inc.


C. Rabon Martin

Stuart Southerland
1023 West 23rd Street
Tulsa, Oklahoma 74107-2819

Attorneys for Defendant
Sarah Ann Johnson

David Moss
District Attorney

By 

Doris L. Fransein
406 Tulsa County Courthouse
Tulsa, Oklahoma 74103

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JERRY D. LOWRY, KENNETH R.
CHOATE and GENE R. N.
FULBRIGHT, individually and
as former shareholders and
distributees upon the
dissolution of VANGUARD
MANUFACTURING, INC., an
Oklahoma corporation,

Plaintiffs,

v.

VANGUARD MANUFACTURING, INC.,
a Virginia corporation,
RICHARD V. HEITFIELD and
THOMAS HEITFIELD,

Defendants.

No. 87-C-87-C

ORDER OF DISMISSAL
WITH PREJUDICE

The Court, upon the Stipulation and Application for an Order of Dismissal with Prejudice filed by the parties herein, finds that the above-captioned action should be dismissed with prejudice.

THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED by this Court that the above-captioned action shall be dismissed with prejudice with each party to pay their own costs.

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:

Richard D. Koljack, Jr.

ELSIE DRAPER

RICHARD D. KOLJACK, JR.

Gable & Gotwals

2000 Fourth National Bank Bldg.

Tulsa, Oklahoma 74119

(918) 582-9201

ATTORNEYS FOR PLAINTIFFS, JERRY D.
LOWRY, KENNETH R. CHOATE and GENE
R. N. FULBRIGHT

Laurence L. Pinkerton

LAURENCE L. PINKERTON

Conner & Winters

2400 First National Tower

Tulsa, Oklahoma 74103

(918) 586-5711

ATTORNEYS FOR DEFENDANTS, VANGUARD
MANUFACTURING, INC., RICHARD V.
HEITFIELD and THOMAS HEITFIELD

UNITED STATES POSTAL SERVICE
WASHINGTON, D.C. 20260-6100

FILED

FEB 11 1988

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

In the Matter of the Complaint Against,

RONALD R. SMITH and
EXECU-SERVICES, INC. d/b/a
STAR OF HOPE BONANZA
and

UPSTART PRODUCTIONS
P.O. Box 700268
Tulsa, OK 74170-0268
and

UPSTART PRODUCTIONS
6935 E. 38th St.
Tulsa, OK 74145-3233
and

FEDERAL CONSUMER XPRESS, INC. d/b/a
FEDERAL CONSUMER XPRESS
6935 E. 38th St.
Tulsa, OK 74145-3233,

P.S. Docket No. 29/60

88-C-28B

RESPONDENTS

CONSENT AGREEMENT

For and in consideration of the Complainant's offer to file a motion to suspend proceedings in the administrative action against the above named respondents under the postal False Representation and Lottery Statute 39 U.S.C. § 3005, concerning certain promotional activities and representations described in the administrative complaint against the respondents in P.S. Docket 29/60 (which is incorporated herein and made a part of this Agreement by reference), the undersigned agrees and consents as follows:

1. This Agreement is for settlement purposes only, and does not constitute an admission of the making of any

misrepresentations or violation of any law or statute. Without admitting that such statements or representations are false, the respondents agree that the use of the promotional activities and representations challenged in the complaint have been and will be permanently discontinued and will not be resumed, directly, or indirectly, under any name or names, or through any corporate or other device.

2. Respondent Ronald R. Smith, an individual residing in the state of Oklahoma, is the president of respondents Execu-Services, Inc. and Federal Consumer Xpress, Inc. As president, he formulates, directs, and controls the acts and practices of both Execu-Services, Inc. and Federal Consumer Xpress, Inc.

3. The undersigned has received and read a copy of the administrative complaint filed against Ronald R. Smith, Execu-Services, Inc. and Federal Consumer Xpress, Inc., all of whom are doing business as Star of Hope Bonanza, Star of Hope, Upstart Productions and Federal Consumer Xpress in P.S. Docket No. 29/60.

4. The promotional materials attached as Exhibits 1 and 2 to the administrative complaint in P.S. Docket No. 29/60 are employed by respondents to solicit money or property through the mail and may reasonably be construed as making the representations alleged in the administrative complaint. Those promotional materials may also be reasonably construed as promoting the conduct of a multi-level distribution program and lottery.

5. The respondents will promptly return to senders at their own expense, any remittances or other mail received or currently being held by the Post Office pursuant to the Temporary Restraining Order, as amended, issued on January 19, 1988, which relate to the activities discontinued. Complainant agrees that respondents, upon returning mail responsive to the discontinued activities, may include promotional materials, so long as such promotional materials do not contain any of the challenged representations or activities or lottery or multi-level distribution program in violation of 39 U.S.C. §3005.

6. Complainant agrees to seek a modification of the Temporary Restraining Order currently in effect to allow respondents to obtain all mail received that is not related to the multi-level distribution program.

7. The undersigned agrees and consents that the Judicial Officer^{1/} may issue an order to cease and desist in the form attached hereto as Attachment A, binding the respondents, and all those in privity with respondents, in P.S. Docket No. 29/60. In connection with the issuance of such order the respondents waive any further notice that the order will be issued, the right to a hearing with regard to the propriety of the order, other procedural steps at the administrative level that relate to the order, and the requirement that the order be accompanied by findings of fact or conclusions of law. The undersigned agrees

^{1/} The term "Judicial Officer" as used in this Agreement shall include the Associate Judicial Officer or any other person designated by the Judicial Officer.

to abide by the terms of the cease and desist order and understands that failure to do so could result in the imposition of civil penalties pursuant to 39 U.S.C. § 3012 (Supp. I 1983), as well as the orders described in paragraph 6 of this Agreement.

8. A breach of the Agreement by the respondents or any party in privity with the respondents will warrant the issuance by the Judicial Officer of an order of the type described in 39 U.S.C. § 3005(a)(1) and (2) as well as an interim order as described in subparagraphs 8(c) below against any name(s) and address(es) to which the remittances of money or property is sought through the United States mails. The Judicial Officer may also issue a supplemental order to cease and desist as authorized under 39 U.S.C. § 3005(a)(3) (Supp I. 1983) if appropriate. Such supplemental order may be directed to additional persons and may prohibit actions other than those identified herein. The following procedures shall govern alleged breaches of this Agreement:

a. Whenever there is reason to believe that the undersigned, or any party in privity with the undersigned, is violating this Agreement, the General Counsel may file with the Recorder of the United States Postal Service a petition, accompanied by appropriate supporting evidence, alleging breach of the Agreement and requesting the issuance of an order of the type described in 39 U.S.C. § 3005(a)(1) and (2) against the alleged violator(s) by whatever name(s) and address(es)

then in use. This petition may also seek the issuance of an interim order as described in subparagraph 6(c) below and a supplemental order to cease and desist as authorized under 39 U.S.C. § 3005(a)(3).

b. A copy of the petition shall be served on the alleged violator(s). The alleged violator(s) shall have the right to reply to the petition. A hearing on such petition will only be held for good cause shown as ordered by the Judicial Officer.

c. Upon the filing of such petition, the Judicial Officer may, upon an ex parte finding that the allegations of the petition and the accompanying supporting evidence, if true, would constitute a prima facie showing that this Agreement has been breached, issue an interim order directing that mail received for delivery to the name(s) and address(es) identified in the petition be detained by the Postal Service pending final administrative determination of the allegations of the petition and any suit for judicial review thereof filed within thirty (30) days of the final administrative determination.

d. The interim order shall afford the alleged violator(s) an opportunity to examine the outside cover of the detained mail in the presence of the postmaster or his agent and to receive any part of such detained mail clearly not related to the promotion described in

the petition. In the event the interim order or modification thereto permits the alleged violator(s) to open mail detained under this subparagraph, any legitimate requests for refunds found in such detained mail, regardless of whether or not they relate to the alleged breach(es), shall be accepted and honored within seven business days by the party opening the mail.

9. This Agreement relates exclusively to 39 U.S.C. § 3005 and shall not constitute a defense or a release of the undersigned of any responsibility for violation of any other statute.

10. The undersigned hereby waives and abandons all claims and right of action in connection with this proceeding, if any, arising under the Equal Access to Justice Act and the rules and regulations thereunder, 5 U.S.C. § 504; 39 C.F.R. § 960.

11. The Postal Inspection Service is hereby authorized to record the names and addresses contained on the undersigned's incoming mail for the purpose of insuring compliance with this Agreement.

12. No officer, employee, or agent of the United States Postal Service has expressly or impliedly, directly or indirectly, accepted or approved any advertising material or practice employed or contemplated for future use by the undersigned.

13. The undersigned has had an opportunity to consult with an attorney or a person of his choosing about the consequence of signing this agreement, and executes this agreement voluntarily.

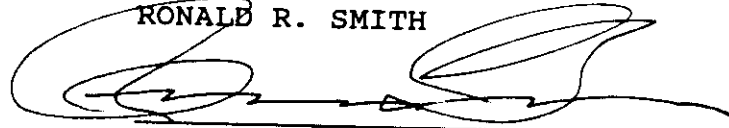
14. This Agreement is effective on the date is signed.

Dated this 29th day of January, 1988.

WITNESS

A. Carl Robinson
(Signature)

RONALD R. SMITH



RONALD R. SMITH,
individually and on
behalf of
EXECU-SERVICES, INC. AND
FEDERAL CONSUMER XPRESS,
INC.

A. Carl Robinson
(Typed or Printed Name)
P.O. Box 87
530 Court St.
(Street Address)

Muskogee, Ok. 74402-0087
(City, State, Zip Code)
Atty for Respondents

ATTACHMENT A

ORDER

1. Persons Covered:

This Order applies to Respondents Ronald R. Smith, Execu-Services, Inc., Federal Consumer Xpress, Inc., and any and all of any Respondents' agents, employees, representatives, successors in interest and all those in privity with any or all of the above named respondents.

2. Scope:

This Order extends to any solicitation in which any or all Respondents solicit money or property through the mail, under any name.

3. Conduct Prohibited:

The persons identified in Paragraph 1 are ordered to cease and desist immediately from conducting any multi-level distribution system and/or any lottery for the distribution of money or property by chance through the mail.

The persons identified in Paragraph 1 are further ordered to cease and desist immediately from falsely representing, either

directly or indirectly, whether by affirmative statements, implications or omissions, and either by words or format, that:

- (a) recipients of Respondents' promotional materials have won valuable a collection of merchandise;
- (b) recipients of Respondents' promotional materials have won the right to an income for the remainder of their life without the necessity of any significant effort on the part of the recipients;
- (c) those who elect to submit a processing fee will not be required to expend additional funds in order to obtain the merchandise and/or an income for life;
- (d) recipients of Respondents' promotional materials are prize winners in a contest which they had previously knowingly and intentionally entered;
- (e) persons electing to participate in Respondents' multi-level marketing program will typically earn large sums of money in a relatively short period of time;
- (f) the amount of money that a participant would be able to earn is limited only by the amount of time and effort the participant invests in the program;
- (g) those participating in Respondents' multi-level marketing program may reasonably expect that those they recruit will in turn find sufficient and suitable recruits in order to bolster the multi-level sales plan and guarantee continues income for the initial participant.

The persons described in Paragraph 1 are hereby further ordered to cease and desist immediately from causing participants in Respondents promotion to make those false representations that persons identified in Paragraph 1 are hereby prohibited from making directly.

SIGNED THIS 11 DAY OF February, 1988.

S/ THOMAS R. BRETT

JUDICIAL OFFICER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ALLSTATE INSURANCE COMPANY, a)
foreign insurance corporation,)

Plaintiff,)

v.)

No. 87-C-558-B

BRIAN O'SHAUGHNESSY and)
ROBERT BRESHNAHAN,)

Defendants.)

FILED
FEB 11 1988
Jack C. Silver, Clerk
U. S. DISTRICT COURT

J U D G M E N T

Pursuant to the verdict of the jury rendered January 28, 1988, Judgment is hereby granted in favor of the Defendant, Brian O'Shaughnessy, and against the Allstate Insurance Company, and the Court hereby declares that there is coverage extended by said Plaintiff insurer to the Defendant, Brian O'Shaughnessy, relative to the incident of November 22, 1986, in accordance with the terms and coverages extended in Allstate Renter's Policy No. 010274152 and Allstate's Umbrella Policy No. 010000770.

IT IS THEREFORE ADJUDGED that Allstate Insurance Company is obligated to provide a defense to and pay any judgment rendered against its insured, Brian O'Shaughnessy, in the case of Robert Breshnahan v. Brian O'Shaughnessy, Case No. CJ86-07843, in and for the District Court of Tulsa County, Oklahoma. IT IS FURTHER ADJUDGED that neither of said numbered policies provide punitive damage coverage to the named insured, Brian O'Shaughnessy, as a result of the incident of November 22, 1986, and said state court action, and the Court so declares. The Allstate Insurance Company

is not obligated under said policies to pay any punitive damage award against Brian O'Shaughnessy in said state court action. The costs herein are assessed against the Allstate Insurance Company if timely applied for pursuant to local rule.

DATED this 11th day of February, 1988.

A handwritten signature in cursive script, appearing to read "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

Figure 1 consists of ten line drawings arranged in two rows of five. The top row shows the initial contact of the toothbrush head with the tooth surface, followed by the formation of a loop. The bottom row shows the completion of the loop and the final stroke position.

Figure 1 illustrates the experimental setup. A subject is seated at a table, viewing a video screen. A video camera is positioned above the screen. A target is placed on the table. A horizontal arrow indicates the direction of movement from the starting point to the target. A vertical arrow indicates the direction of movement from the starting point to the video screen. A horizontal arrow indicates the direction of movement from the video screen to the target. A vertical arrow indicates the direction of movement from the video screen to the video camera.

[illegible]

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Civil Action No. 86-C-981-C

JUDGMENT

11

On December 3, 1987, the Court entered its Order

7.14%

percent per annum until paid, plus attorney fees and costs of this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover judgment against the Defendant, Rex Frates, on its Second Cause of Action for the principal amount of \$13,333.28 as of July 31, 1986, plus interest as of that date in the amount of \$4,777.73, plus interest accruing after July 31, 1986 at the rate of \$3.65 per day until judgment, plus interest from the date of judgment at the current legal rate of 7.14 percent per annum until paid, plus attorney fees and costs of this action.

S/H. DALE COCK

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NEAL G. HENDERSON; DIANE
HENDERSON; COUNTY TREASURER,
Tulsa County, Oklahoma;
BOARD OF COUNTY COMMISSIONERS,
Tulsa County, Oklahoma,
SOUTHWEST GENERAL INSURANCE;
GARY WAYNE RICHARDSON; and
DRUMMOND & RAYMOND,

Defendants.

CIVIL ACTION NO. 87-C-322-C

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 11 day
of Feb, 1988. The Plaintiff appears by Tony M.
Graham, United States Attorney for the Northern District of
Oklahoma, through Peter Bernhardt, Assistant United States
Attorney; the Defendants, County Treasurer, Tulsa County,
Oklahoma, and Board of County Commissioners, Tulsa County,
Oklahoma, appear by Doris L. Fransein, Assistant District
Attorney, Tulsa County, Oklahoma; the Defendant, Southwest
General Insurance, appears not, having previously filed its
Disclaimer; the Defendant, Drummond & Raymond, appears not,
having previously filed its Disclaimer; and the Defendants,
Neal G. Henderson, Diane Henderson, and Gary Wayne Richardson,
appear not, but make default.

The Court being fully advised and having examined the
file herein finds that the Defendant, Neal G. Henderson, was

served with Summons and Complaint on August 5, 1987; that the Defendant, Diane Henderson, was served with Summons and Complaint on October 22, 1987; that the Defendant, Southwest General Insurance, acknowledged receipt of Summons and Complaint on July 31, 1987; that the Defendant, Drummond & Raymond, acknowledged receipt of Summons and Complaint on August 7, 1987; that the Defendant, County Treasurer, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on May 1, 1987; and that the Defendant, Board of County Commissioners, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on May 1, 1987.

The Court further finds that the Defendant, Gary Wayne Richardson, was served by publishing notice of this action in the Tulsa Daily Business Journal & Legal Record, a newspaper of general circulation in Tulsa County, Oklahoma, once a week for six (6) consecutive weeks beginning November 13, 1987, and continuing to December 18, 1987, as more fully appears from the verified proof of publication duly filed herein; and that this action is one in which service by publication is authorized by 12 O.S. Section 2004(C)(3)(c). Counsel for the Plaintiff does not know and with due diligence cannot ascertain the whereabouts of the Defendant, Gary Wayne Richardson, and service cannot be made upon said Defendant within the Northern Judicial District of Oklahoma or the State of Oklahoma by any other method, or upon said Defendant without the Northern Judicial District of Oklahoma or the State of Oklahoma by any other method, as more fully appears from the evidentiary affidavit of a bonded abstracter

filed herein with respect to the last known address of the Defendant, Gary Wayne Richardson. The Court conducted an inquiry into the sufficiency of the service by publication to comply with due process of law and based upon the evidence presented together with affidavit and documentary evidence finds that the Plaintiff, United States of America, acting on behalf of the Administrator of Veterans Affairs, and its attorneys, Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, fully exercised due diligence in ascertaining the true name and identity of the party served by publication with respect to his present or last known place of residence and/or mailing address. The Court accordingly approves and confirms that the service by publication is sufficient to confer jurisdiction upon this court to enter the relief sought by the Plaintiff, both as the subject matter and the Defendant served by publication.

It appears that the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, filed their Answers herein on May 18, 1987; that the Defendant, Southwest General Insurance, filed its Disclaimer herein on August 5, 1987; that the Defendant, Drummond & Raymond, filed its Disclaimer herein on August 11, 1987; and that the Defendants, Neal G. Henderson, Diane Henderson, and Gary Wayne Richardson, have failed to answer and their default has therefore been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a certain mortgage note and for foreclosure of a mortgage

securing said mortgage note upon the following described real property located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Twenty-six (26), Block Six (6), TURTLE CREEK, an Addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

The Court further finds that on April 16, 1985, the Defendants, Neal G. Henderson and Diane Henderson, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, their mortgage note in the amount of \$79,000.00, payable in monthly installments, with interest thereon at the rate of twelve and one-half percent (12.5%) per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Neal G. Henderson and Diane Henderson, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, a mortgage dated April 16, 1985, covering the above-described property. Said mortgage was recorded on July 5, 1985, in Book 4874, Page 1697, in the records of Tulsa County, Oklahoma.

The Court further finds that the Defendants, Neal G. Henderson and Diane Henderson, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Neal G. Henderson and Diane Henderson, are indebted to the Plaintiff in the principal sum of \$80,225.37, plus interest at the rate of

12.5 percent per annum from March 1, 1986 until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

The Court further finds that the Defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, claim no right, title, or interest in the subject real property.

The Court further finds that the Defendants, Southwest General Insurance and Drummond & Raymond, disclaim any right, title, or interest in the subject real property.

The Court further finds that the Defendant, Gary Wayne Richardson, is in default and has no right, title, or interest in the subject real property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Neal G. Henderson and Diane Henderson, in the principal sum of \$80,225.37, plus interest at the rate of 12.5 percent per annum from March 1, 1986 until judgment, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer and Board of County Commissioners, Tulsa County, Oklahoma, Southwest General Insurance, Gary Wayne

Richardson, and Drummond & Raymond, have no right, title, or interest in the subject real property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Neal G. Henderson and Diane Henderson, to satisfy the money judgment of the Plaintiff herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the sale as follows:

First:

In payment of the costs of this action accrued and accruing incurred by the Plaintiff, including the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff.

The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further Order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.

H. DANIELSON

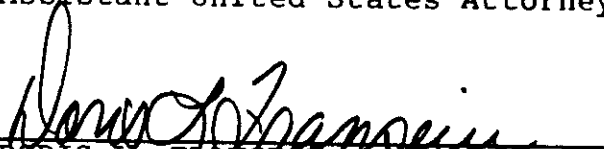
UNITED STATES DISTRICT JUDGE

APPROVED:

TONY M. GRAHAM
United States Attorney



PETER BERNHARDT
Assistant United States Attorney



DORIS L. FRANSEIN
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Tulsa County, Oklahoma

PB/css

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

WYANDOTTE TRIBE OF OKLAHOMA,)

Plaintiff,)

vs.)

No. 87-C-9-E

THE STATE OF OKLAHOMA BY AND)
THROUGH THE OKLAHOMA TAX)
COMMISSION, ET AL.,)

Defendants.)

STATE OF OKLAHOMA, EX REL)
OKLAHOMA TAX COMMISSION,)

Plaintiff,)

vs.)

No. 87-C-63-E
(Consolidated)

WYANDOTTE TRIBE OF OKLAHOMA,)
a Federally Chartered)
Corporation,)

Defendant.)

JUDGMENT

This action came on for decision before the Court, Honorable James O. Ellison, District Judge, presiding, and the issues having been determined and a decision having been duly rendered,

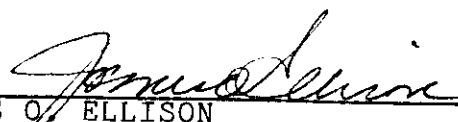
IT IS ORDERED AND ADJUDGED that the land on which the Wyandotte Tribe Turtle Stop convenience store is located constitutes Indian country and that the State of Oklahoma, ex rel. Oklahoma Tax Commission is preempted by federal law from imposing its sales and cigarette taxes on members of the Wyandotte Tribe who purchase items from the store.

IT IS FURTHER ORDERED AND ADJUDGED that the Oklahoma sales tax and cigarette tax is applicable to non-tribal members on

sales at the store, and that the Wyandotte Tribe must henceforth collect sales and cigarette taxes and file the appropriate reports for the Oklahoma Tax Commission.

IT IS FURTHER ORDERED AND ADJUDGED that each party shall bear its own costs.

DATED this 9th day of February, 1988.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

126

John C. Oliver, Clerk
DISTRICT COURT

Case No. 87-C-142 B

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NOTICE of DISMISSAL WITH PREJUDICE

Respectfully submitted,

By:

Lillian Eisen, Plaintiff

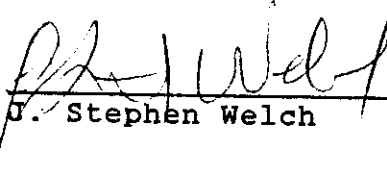
CERTIFICATE OF MAILING

I hereby certify that on this 3rd day of February, 1988, I mailed a true and correct copy of the above and foregoing Dismissal With Prejudice, postage pre-paid, to the following:

Mr. Stephen J. Rodolf
100 West 5th St., Suite 410
Tulsa, OK 74103

John Lieber
P.O. Box 1560
Tulsa, OK 74101

David M. Nichols
2627 E. 21st St., Suite 108
Tulsa, OK 74114


J. Stephen Welch

JHL:ve

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

LILLIAN EISEN,
Plaintiff,

v.

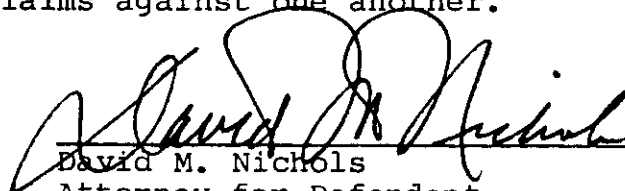
ANTON-WALDMANN & ASSOCIATES, INC.,
a Pennsylvania corporation,
GRANT INDUSTRIES, INC., a Delaware
corporation, PROCESS HARDWARE
MANUFACTURER CO., INC., a New York
corporation,

Defendants.

Case No. 87-C-142-B


NOTICE OF DISMISSAL WITH PREJUDICE OF ALL CROSS-CLAIMS

COME NOW the respective Defendants and dismiss with
prejudice all cross-claims against one another.



David M. Nichols
Attorney for Defendant
Process Hardware Manufacturer Co., Inc.

OBA #6660


Stephen J. Rodolf
Attorney for Defendant
Grant Industries, Inc.

John Howard Lieber
Attorney for Defendant
Anton-Waldmann & Associates, Inc.
KNIGHT, WAGNER, STUART, WILKERSON & LIEBER
P.O. Box 1560
Tulsa, OK 74101-1560
(918) 584-6457

OBA #005421

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLY R. SMITH; SHIRLEY J.
SMITH; STATE OF OKLAHOMA ex rel.
OKLAHOMA TAX COMMISSION;
COUNTY TREASURER, Creek County,
Oklahoma; and BOARD OF COUNTY
COMMISSIONERS, Creek County,
Oklahoma,

Defendants.

FILED

FEB 10 1988

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

CIVIL ACTION NO. 87-C-796-B

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 8th day
of February, 1988. The Plaintiff appears by Tony M.
Graham, United States Attorney for the Northern District of
Oklahoma, through Peter Bernhardt, Assistant United States
Attorney; the Defendants, County Treasurer, Creek County,
Oklahoma, and Board of County Commissioners, Creek County,
Oklahoma, appear by Wesley R. Thompson, Assistant District
Attorney, Creek County, Oklahoma; the Defendant, State of
Oklahoma ex rel. Oklahoma Tax Commission, appears by its attorney
Robert B. Struble; and the Defendants, Billy R. Smith and
Shirley J. Smith, appear not, but make default.

The Court being fully advised and having examined the
file herein finds that the Defendants, Billy R. Smith and
Shirley J. Smith, acknowledged receipt of Summons and Complaint
on October 6, 1987; that Defendant, State of Oklahoma ex rel.
Oklahoma Tax Commission, acknowledged receipt of Summons and

Complaint on September 30, 1987; that Defendant, County Treasurer, Creek County, Oklahoma, acknowledged receipt of Summons and Complaint on September 30, 1987; and that Defendant, Board of County Commissioners, Creek County, Oklahoma, acknowledged receipt of Summons and Complaint on September 30, 1987.

It appears that the Defendants, County Treasurer, Creek County, Oklahoma, and Board of County Commissioners, Creek County, Oklahoma, filed their Answer herein on October 9, 1987; that Defendant, State of Oklahoma ex rel. Oklahoma Tax Commission, filed its Answer and Cross-Petition herein on October 14, 1987; and that the Defendants, Billy R. Smith and Shirley J. Smith, have failed to answer and their default has therefore been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a certain mortgage note and for foreclosure of a mortgage securing said mortgage note upon the following described real property located in Creek County, Oklahoma, within the Northern Judicial District of Oklahoma:

All that part of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE/4 SE/4 SW/4) of Section Seventeen (17), Township Nineteen (19) North, Range Nine (9) East of the Indian Base and Meridian, Creek County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows, to-wit: BEGINNING at a point Twenty-five (25) feet North of the Southwest corner of the said Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE/4 SE/4 SW/4); thence North 0°04'30" West a distance of Three Hundred Forty-two and fifty/hundredths (342.50) feet; thence South 78°52'38" East a

distance of One Hundred Ninety-eight and sixty-one/hundredths (198.61) feet; thence South 8°55'00" West a distance of Three Hundred Seven and ninety-one/hundredths (307.91) feet; thence due West and Twenty-five (25) feet from the South line of said Section Seventeen (17) a distance of One Hundred Forty-six and seventy/hundredths (146.70) feet to the point of beginning, and reserving a twenty-five (25) foot easement for roadway and utility purposes along the West boundary line of said property.

The Court further finds that on May 4, 1982, the Defendants, Billy R. Smith and Shirley J. Smith, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, their mortgage note in the amount of \$40,375.00, payable in monthly installments, with interest thereon at the rate of fifteen and one-half percent (15.5%) per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Billy R. Smith and Shirley J. Smith, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, a mortgage dated May 4, 1982, covering the above-described property. Said mortgage was recorded on May 5, 1982, in Book 117, Page 1806, in the records of Creek County, Oklahoma.

The Court further finds that the Defendants, Billy R. Smith and Shirley J. Smith, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Billy R. Smith and Shirley J. Smith, are indebted to the Plaintiff in the

principal sum of \$40,378.32, plus interest at the rate of fifteen and one-half percent (15.5%) per annum from February 1, 1986 until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

The Court further finds that the Defendant, State of Oklahoma ex rel. Oklahoma Tax Commission, has a lien on the property which is the subject matter of this action by virtue of a tax warrant in the amount of \$116.30, plus penalties and interest, for income taxes for the year 1978, which became a lien on the property as of July 15, 1983. Said lien is inferior to the interest of the Plaintiff, United States of America.

The Court further finds that the Defendants, County Treasurer and Board of County Commissioners, Creek County, Oklahoma, have a lien on the property which is the subject matter of this action by virtue of personal property taxes in the amount of \$26.74, plus penalties and interest, for the year of 1986. Said lien is inferior to the interest of the Plaintiff, United States of America.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Billy R. Smith and Shirley J. Smith, in the principal sum of \$40,378.32, plus interest at the rate of fifteen and one-half percent (15.5%) per annum from February 1, 1986 until judgment, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff

for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, State of Oklahoma ex rel. Oklahoma Tax Commission, have and recover judgment in the amount of \$116.30, plus penalties and interest, for income taxes for the year 1978, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, County Treasurer and Board of County Commissioners, Creek County, Oklahoma, have and recover judgment in the amount of \$26.74, plus penalties and interest, for personal property taxes for the year of 1986, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Billy R. Smith and Shirley J. Smith, to satisfy the money judgment of the Plaintiff herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the sale as follows:

First:

In payment of the costs of this action accrued and accruing incurred by the Plaintiff, including the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff;

Third:

In payment of the Defendant, State of Oklahoma ex rel. Oklahoma Tax Commission, in the amount of \$116.30, plus penalties and interest for income taxes which are currently due and owing;

Fourth:

In payment of the Defendants, County Treasurer and Board of County Commissioners, Creek County, Oklahoma, in the amount of \$26.74, plus penalties and interest, for personal property taxes which are presently due and owing on said real property.

The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further Order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.

S/ THOMAS R. BRETT

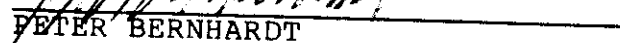
UNITED STATES DISTRICT JUDGE

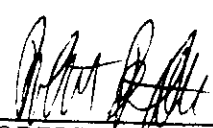
APPROVED:


TONY M. GRAHAM
United States Attorney



PETER BERNHARDT
Assistant United States Attorney




ROBERT B. STRUBLE
Attorney for Defendant,
State of Oklahoma ex rel.
Oklahoma Tax Commission


WESLEY R. THOMPSON
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Creek County, Oklahoma

PB/css

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY D. HAYES,

Defendant.

FILED

FEB 10 1988

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

CIVIL ACTION NO. 87-C-875-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Peter Bernhardt, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 10 day of February, 1988.

UNITED STATES OF AMERICA

TONY M. GRAHAM

United States Attorney

PETER BERNHARDT

Assistant United States Attorney

3600 United States Courthouse

Tulsa, Oklahoma 74103

(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 10 day of February, 1988, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Larry D. Hayes, Post Office Box 101, Rose, Oklahoma 74254.

Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

CHARLES E. SMITH,

Plaintiff,

v.

LIBERTY MUTUAL INSURANCE COMPANY,

Defendant.

No. 87-C-72-E

JUDGMENT

In accordance with the Court's Order of December 9, 1987, judgment is entered in favor of the Defendant, Liberty Mutual Insurance Company, and against Charles E. Smith, the Plaintiff.

It is so Ordered on this 5th day of February, 1988.

S/ JAMES O. ELLISON

James O. Ellison
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

HOLD OIL CORPORATION,
a Florida corporation,

Plaintiff,

v.

ARKANSAS LOUISIANA GAS COMPANY
and ARKLA, INC., successor in
interest to Arkansas Louisiana
Gas Company, a Delaware
corporation,

Defendants,

v.

HOLD OIL 1980 OIL AND GAS
LIMITED PARTNERSHIP; HOLD OIL
1981 OIL AND GAS LIMITED
PARTNERSHIP; HOLD OIL 1982 OIL
AND GAS LIMITED PARTNERSHIP;
HOLD OIL PRIVATE DRILLING
PARTNERSHIP NO. 1982B-1; HOLD
OIL CORP. PRIVATE DRILLING
PARTNERSHIP NO. 82C-1; and
HOLD OIL CORP. PRIVATE DRILLING
PARTNERSHIP NO. 82D-1,

Additional Parties
to Counterclaim.

Case No. 86-C-532-E

FILED

ADMINISTRATIVE CLOSING ORDER

The parties herein having requested the Court continue this action for sixty (60) days pending the final settlement.

IT IS HEREBY ORDERED that the Clerk administratively terminate this action in his records without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order or for any other purpose required to obtain a final determination of this litigation.

If by April 5, 1988, the parties have not reopened the proceedings for the purpose of obtaining a final determination herein, this action shall be deemed dismissed with prejudice.

IT IS SO ORDERED this 8th day of July, 1988.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

1-11 9 1983

MID-AMERICA PIPELINE COMPANY,

Plaintiff,

v.

ELIZABETH H. DOLE,

Defendant.

Jack C. Silver, Clerk
U.S. DISTRICT COURT

Civil No. 86-C-815-E

JUDGMENT FOR DECLARATORY AND INJUNCTIVE RELIEF

This action came before the Court, Honorable James O. Ellison, District Judge, presiding, on cross-motions for summary judgment, and the issues having been duly heard, and a decision having been duly rendered granting Plaintiff's Motion for Summary Judgment,

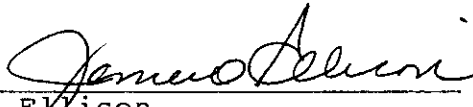
IT IS HEREBY ORDERED AND ADJUDGED

That Section 7005 of the Consolidated Omnibus Budget Reconciliation Act of 1985, Public Law No. 99-272, 100 Stat. 82 (1986), is declared unlawful as violative of the United States Constitution, and

That Defendant Secretary of Transportation is permanently enjoined from enforcing as against Plaintiff Mid-America Pipeline Company Section 7005 of the Consolidated Omnibus Budget Reconciliation Act of 1985, Public Law No. 99-272, 100 Stat. 82 (1986).


JUDGMENT IS ACCORDINGLY ENTERED FOR PLAINTIFF AND AGAINST
DEFENDANT.

Dated at Tulsa, Oklahoma this 8th day of Feb. 1988.


James O. Ellison
United States District Judge

APPROVAL AS TO FORM

By their signatures, counsel for both parties hereby agree to
and approve the form of the judgment as required by Local Rule
23(a).



RICHARD K. WILLARD
Assistant Attorney General

TONY M. GRAHAM
United States Attorney

PETER BERNHARDT
Assistant United States Attorney

SANDRA M. SCHRAIBMAN
JAMES A. GARDNER
Department of Justice
Civil Division -- Room 3706
10th & Pennsylvania Ave., N.W.
Washington, D.C. 20530
(202) 633-4964

Attorneys for Defendant


KRISTEN E. COOK
General Counsel
Mid-America Pipeline Company
1800 South Baltimore Avenue
P.O. Box 645
Tulsa, Oklahoma 74101
(981) 599-3636

RICHARD McMILLAN, JR.
CLIFTON S. ELGARTEN
LUTHER ZEIGLER
Crowell & Moring
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 624-2500

Attorneys for Plaintiff

Dated: Jan. 22, 1988

Dated: Feb. 5, 1988

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

PROFESSIONAL INVESTORS LIFE
INSURANCE COMPANY,

Plaintiff,

-vs-

MUNICO, INC.,

Defendant.

Case No. 87-C-351E

ORDER OF DISMISSAL

Upon consideration of the Stipulation for Dismissal filed in the above captioned action, and the consent of the parties signified thereon, it is hereby

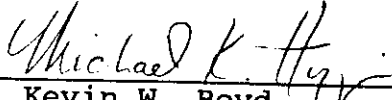
ORDERED that Plaintiff's complaint herein be, and the same hereby is, dismissed with prejudice, Plaintiff to bear its own costs, expenses and attorney fees, and it is

FURTHER ORDERED that Defendant's counterclaim herein be, and the same hereby is, dismissed with prejudice, Defendant to bear its costs, expenses and attorney fees.

Dated this 5th day of Feb., 1988.

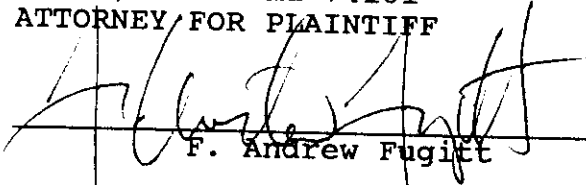
United States District Judge

Approved as to form:



Kevin W. Boyd
Michael K. Huggins

P. O. Box 2888
Tulsa, Oklahoma 74101
ATTORNEY FOR PLAINTIFF



F. Andrew Fugitt

Kerr, Irvine & Rhodes
600 Fidelity Plaza
Oklahoma City, Oklahoma 73102
ATTORNEY FOR DEFENDANT

1111

Plaintiff,

VS.

Defendants.

CIVIL ACTION NO. 87-C-952-E

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 8th day of Feb., 1988. The Plaintiff appears by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney; the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, appear by Doris L. Fransein, Assistant District Attorney, Tulsa County, Oklahoma; and the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, appear not, but make default.

The Court being fully advised and having examined the file herein finds that the Defendant, Kennard J. Fuselier, acknowledged receipt of Summons and Complaint on November 25, 1987; that Defendant, Pebbles L. Fuselier, acknowledged receipt of Summons and Complaint on November 27, 1987; that Defendant, County Treasurer, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on November 18, 1987; and that Defendant,

Board of County Commissioners, Tulsa County, Oklahoma, acknowledged receipt of Summons and Complaint on November 16, 1987.

It appears that the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, filed their Answers herein on December 4, 1987; and that the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, have failed to answer and their default has therefore been entered by the Clerk of this Court.

The Court further finds that on May 20, 1987, the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, filed a petition for relief under Chapter 7 of the Bankruptcy Code, Case No. 87-01351, Northern District of Oklahoma. On September 28, 1987, the Bankruptcy Court entered its Combined Order Granting Relief From Automatic Stay and For Abandonment.

The Court further finds that this is a suit based upon a certain mortgage note and for foreclosure of a mortgage securing said mortgage note upon the following described real property located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Three (3), Block Eleven (11), VALLEY VIEW ACRES ADDITION to the City of Tulsa, County of Tulsa, State of Oklahoma, according to the recorded Plat thereof.

The Court further finds that on March 4, 1985, the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, their mortgage note in

the amount of \$39,500.00, payable in monthly installments, with interest thereon at the rate of 12.5 percent per annum.

The Court further finds that as security for the payment of the above-described note, the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, a mortgage dated March 4, 1985, covering the above-described property. Said mortgage was recorded on March 5, 1985, in Book 4848, Page 720, in the records of Tulsa County, Oklahoma.

The Court further finds that the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, are indebted to the Plaintiff in the principal sum of \$39,341.46, plus interest at the rate of 12.5 percent per annum from September 1, 1986 until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

The Court further finds that the Defendant, County Treasurer, Tulsa County, Oklahoma, has a lien on the property which is the subject matter of this action by virtue of ad valorem taxes in the amount of \$302.00, plus penalties and interest, for the year of 1987. Said lien is superior to the interest of the Plaintiff, United States of America.

The Court further finds that the Defendant, Board of County Commissioners, Tulsa County, Oklahoma, claims no right, title, or interest in the subject real property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment in rem against the Defendants, Kennard J. Fuselier and Pebbles L. Fuselier, in the principal sum of \$39,341.46, plus interest at the rate of 12.5 percent per annum from September 1, 1986 until judgment, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, County Treasurer, Tulsa County, Oklahoma, have and recover judgment in the amount of \$302.00, plus penalties and interest, for ad valorem taxes for the year of 1987, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendant, Board of County Commissioners, Tulsa County, Oklahoma, has no right, title, or interest in the subject real property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the sale as follows:

First:

In payment of the costs of this action accrued and accruing incurred by the Plaintiff, including the costs of sale of said real property;

Second:

In payment of the Defendant, County Treasurer, Tulsa County, Oklahoma, in the amount of \$302.00, plus penalties and interest, for ad valorem taxes which are presently due and owing on said real property;

Third:

In payment of the judgment rendered herein in favor of the Plaintiff.

The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further Order of the Court.


IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.


BY JAMES O. HILL

UNITED STATES DISTRICT JUDGE

APPROVED:

TONY M. GRAHAM
United States Attorney


PHIL PINNELL
Assistant United States Attorney


DORIS L. FRANSEIN
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Tulsa County, Oklahoma

PP/css

Entered

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

TEXACO INC., a Delaware
corporation, and BRIDGELINE
GAS DISTRIBUTION COMPANY, a
Delaware corporation,

Plaintiffs,

vs.

CARL N. COOPER, an individual,
et al.,

Defendants.

Case No. 87-C-177-C

FILED

FEB 9 1988

**DEFAULT JUDGMENT AGAINST
RECOVERY RESOURCES CORPORATION**

Jack C. Silver, Clerk
U.S. DISTRICT COURT

NOW comes on before the Court for consideration the Report and Recommendation of the Magistrate filed January 20, 1988, and Plaintiffs' Motion for Default Judgment Against Defendant, Recovery Resources Corporation, filed January 8, 1988. After careful consideration of the record and the issues, the Court has concluded that the Report and Recommendation of the Magistrate regarding Plaintiffs' Motion for Default Judgment should be and is hereby adopted and affirmed.

The Court makes the following FINDINGS upon a review of the record herein:

1. This Court has jurisdiction over the subject matter pursuant to 28 U.S.C. §1332, and venue is properly laid in the Northern District of Oklahoma pursuant to 28 U.S.C. §1319. This Court has in personam jurisdiction over Recovery Resources Corporation ("Recovery") pursuant to 12 Okla. Stat. §2001, et seq. (1984).

2. Texaco Inc. ("Texaco") filed its Complaint herein on March 13, 1987. Service of process upon Recovery was obtained on March 17, 1987, including service of a copy of the Complaint and Application for Order of Delivery of Property, Notice of Application for Order of Delivery of Property, and Summons filed herein. Texaco and Bridgeline Gas Distribution Company ("Bridgeline") filed their First Amended Complaint herein on

August 11, 1987. A copy of plaintiffs' First Amended Complaint was served upon Recovery's counsel on August 12, 1987. Texaco and Bridgeline have complied with the service requirements of Rule 4(c), Federal Rules of Civil Procedure.

3. Recovery has failed to respond to the Magistrate's Minute Order of December 2, 1987, has failed to advise this Court as to its intention to defend against the claims of Texaco and Bridgeline asserted in their Complaint and First Amended Complaint, has failed to timely respond to discovery requests and comply with this Court's Scheduling Order, which failure by Recovery constitutes a default by Recovery in this proceeding entitling Texaco and Bridgeline to the relief requested in their Complaint and First Amended Complaint pursuant to Rule 55(b)(2), Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by this Court, by virtue of the findings hereinabove set forth, that the Plaintiffs' Motion for Default Judgment should be and is hereby granted, pursuant to Rule 55(b)(2), Federal Rules of Civil Procedure, 12 Okla. Stat. §1571, et seq. (1981) and 24 Okla. Stat. §112, et seq. (1986); and that Texaco and Bridgeline are entitled to judgment against Recovery as follows:

A. That the Stock Option, more fully identified in Texaco's Complaint, is hereby declared to be valid and enforceable as against Recovery;

B. That any right, title, interest or claim made by Recovery in and to the capital stock in Atoka Gas Gathering System, Inc. ("Atoka Gas Gathering"), purportedly acquired by Recovery from Carl N. Cooper ("Cooper"), is subject, junior and inferior to the right, title, interest and claim made by Texaco and Bridgeline in and to 100% of Cooper's capital stock in Atoka Gas Gathering;

C. That Cooper's purported transfer of 100% of his stock in Atoka Gas Gathering to Recovery is hereby declared null and void under the Uniform Fraudulent Transfer Act, as adopted in the State of Oklahoma and referenced as 24 Okla. Stat. §112, et seq. (1986);

D. That any certificates evidencing capital stock of Atoka Gas Gathering in the possession of Recovery are deemed cancelled by virtue of this Court's Order and Judgment;

E. That a constructive trust is hereby imposed upon all of the capital stock in Atoka Gas Gathering received by Recovery from Cooper for the benefit of Texaco and Bridgeline;

F. That the Trustee for the Estate of Atoka Gas Gathering in Bankruptcy Case No. 86-02762 (Chapter 11), pending in the United States Bankruptcy Court for the Northern District of Oklahoma, is hereby directed to cancel the certificates evidencing capital stock of Atoka Gas Gathering in the possession of Recovery and issue replacement certificates, evidencing Cooper's capital stock in Atoka Gas Gathering, to Cooper, subject to the rights, interest and claims of Texaco and Bridgeline asserted herein;

G. That Recovery is hereby permanently enjoined from transferring, disposing of or negotiating in any manner the capital stock of Atoka Gas Gathering received by it from Cooper; and


H. That Texaco and Bridgeline shall be awarded their costs incurred in this action against Recovery, including a reasonable attorney's fee to be determined by this Court upon appropriate Motion to tax costs and attorney's fees.

IT IS SO ORDERED and DATED this 8 day of February, 1988.

(Signed) H. Dale Cook

THE HONORABLE H. DALE COOK,
CHIEF JUDGE, UNITED STATES
DISTRICT COURT, NORTHERN
DISTRICT OF OKLAHOMA

APPROVED AS TO FORM:



Robert S. Glass, Counsel for
Texaco Inc. and Bridgeline Gas
Distribution Company

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 9 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

TERRY G. BREWSTER,

Plaintiff,

vs.

ALLSTATE INSURANCE COMPANY,

Defendant.

Case No.: 85-C-242 C

JUDGMENT FOR DEFENDANT - DISMISSAL

This action came on for trial before the Court, Honorable H. Dale Cook, District Judge, presiding. The issues having been duly tried, and the jury have duly rendered its verdict, IT IS ORDERED AND ADJUDGED that the plaintiff take nothing, that the action be dismissed on the merits and that the defendant Allstate Insurance Company recover of the plaintiff, Terry G. Brewster, its costs of action.

DATED this 8 day of February, 1988.

(Signed) H. Dale Cook

H. Dale Cook, District Judge

APPROVED AS TO FORM:


William J. Dale, Attorney for Plaintiff


Roger R. Williams, Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

Plaintiff(s),

vs.

No. 86-C-92-C

IDA CAROLYN HARRISON, ET. AL.
Defendant(s).

FILED

FEB 9 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

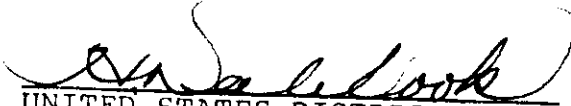
JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this Judgment by United States mail upon the attorneys for the parties appearing in this action.

Dated this 8 day of February, 19 88.


UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SHEILA LEWIS

Plaintiff(s),

vs.

No. 86-C-982-C ✓

BUY-RITE FOODS, INC., ET. AL.

Defendant(s).

FILED

FEB 9 1988 *Am*

Jack C. Silver, Clerk
U.S. DISTRICT COURT

JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this Judgment by United States mail upon the attorneys for the parties appearing in this action.

Dated this 8 day of February, 19 88.

[Signature]
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

MICHIGAN NATIONAL BANK, N.A.

Plaintiff(s),

vs.

No. 87-C-395-C

G. R. GRAY

Defendant(s).

FILED

FEB 9 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this Judgment by United States mail upon the attorneys for the parties appearing in this action.

Dated this 8th day of February, 19 88.


UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

FEB 9 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT J. STEWARD,

Defendant.

CIVIL ACTION NO. 87-C-786-C

DEFAULT JUDGMENT

This matter comes on for consideration this 8 day of February, 1988, the Plaintiff appearing by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney, and the Defendant, Robert J. Steward, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Robert J. Steward, was served with Summons and Complaint on November 11, 1987. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant,

Robert J. Steward, for the principal sum of \$833.60, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.63 per month from August 10, 1986, until judgment, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus costs of this action.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

FILED

103 9123

Jack C. Silver, Clerk
U.S. DISTRICT COURT

vs.

No. 87-C-1011-E

Defendant.

JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED
IN OPEN COURT

IN THE UNITED STATES DISTRICT COURT FOR THE FEB 8 1988
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

McLEAN FINANCIAL CORPORATION,)
)
Plaintiff,)
)
vs.)
)
JOHN R. JUNGER, JR. and RITA J.)
JUNGER, husband and wife; and THE)
UNITED STATES OF AMERICA, EX REL)
THE INTERNAL REVENUE SERVICE,)
)
Defendants.)

Case No. 87-C-413 B


DEFICIENCY JUDGMENT

NOW on this 8th day of February, 1988, there came on for hearing Plaintiff's Motion For Leave To Enter Deficiency Judgment herein, filed on the 21st day of January, 1988, a true and correct copy of said Motion, together with a copy of the Order for Hearing and Amended Order for Hearing entered herein, having been duly mailed to the Defendants, John R. Junger, Jr. and Rita J. Junger, husband and wife, and their attorney of record, Mr. Warren G. Morris on the 2nd day of February, 1988, by regular mail as provided by said Order. The Plaintiff appeared by its attorneys, Kornfeld Franklin & Phillips, through Gregg R. Renegar; Defendants appeared not either in person or through an attorney.


The Court after hearing the arguments of counsel and receiving the evidence produced in open Court FINDS that the plaintiff has assigned the judgment of September 11, 1987 to McLean Savings and Loan Association which is the one and the same entity which received and took by assignment the bid of the Plaintiff upon sale of the property herein; and the fair and reasonable market value of the subject property does not exceed ~~\$33,343.00~~ ^{55,000.00}; that the

amount of the highest and best bid at the Sheriff's Sale herein and the price at which the subject property was sold at said Sale was \$33,343.00 and that Plaintiff is entitled to deficiency judgment of \$62,604.54 said amount being the lesser sum of the difference between the amount of Plaintiff's judgment, now assigned and the sale price of the subject property at the Sheriff's Sale and the difference between the amount of plaintiff's judgment, now assigned and the market value of the property, all as provided by law.

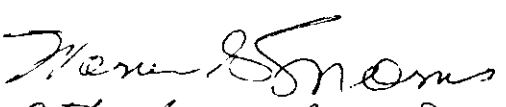
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that McLean Savings and Loan Association have and recover a deficiency judgment against the Defendants, John R. Junger, Jr. and Rita J. Junger, husband and wife, in the sum of ~~\$62,604.54~~ ^{30,947.54} with interest thereon at the rate of 14.0% per annum from the 11th day of September, 1987, until paid.


UNITED STATES DISTRICT JUDGE

APPROVED:


Gregg R. Renegar, OBA #7500
Joseph P. Balkenbush, OBA 12073
301 N. W. 63rd, Suite 600
Oklahoma City, Oklahoma 73116
(405) 840-2731

of KORNFIELD FRANKLIN & PHILLIPS
Attorneys for Plaintiff


att for John R. Junger

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEB 8 1988

ADAM WAYNE STERLING,

Plaintiff,

v.

FRANK THURMAN, Sheriff, Tulsa
County; JOHN DOE, Warden,
TULSA CITY-COUNTY JAIL, City
of Tulsa, County of Tulsa; and
SOUTHWESTERN BELL TELEPHONE
COMPANY,

Defendants.

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 86-C-763-B CONS.
In Re: 86-C-803-B

ORDER

This matter comes before the Court on Defendant Southwestern Bell Telephone Company's motion for summary judgment filed November 19, 1987, and Defendants Frank Thurman, Sheriff of Tulsa County, and the Board of County Commissioners of Tulsa County's motion for summary judgment filed November 19, 1987. Plaintiff, Adam Wayne Sterling, has failed to respond.

Local Court Rule 14(a) and (b) states failure to file a memoranda in opposition to these motions constitutes waiver of objection and a confession of the matters raised. The Court has reviewed the matters raised by Defendants and finding no objection grants all Defendants' motions for summary judgment.

IT IS SO ORDERED, this 3rd day of February, 1988.


THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB -8 1988

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

BROWN J. AKIN, Jr.,

Plaintiff,

v.

SUNBELT BANCORPORATION, INC.;
WESLEY R. MCKINNEY; BRADLEY
L. JOHNSON; DWIGHT PILGRIM;
WILMA WOOD; and PEAT, MARWICK
MITCHELL & CO.,

Defendants.

No. 84-C-1005-Conway

NOTICE OF DISMISSAL PURSUANT
TO FED. R. CIV. P. 41(a)(1)(i)

COMES NOW the plaintiff and pursuant to Fed. R. Civ. P. 41(a)(1)(i) and files his notice of dismissal of Peat, Marwick, Mitchell & Co. prior to service by Peat, Marwick, Mitchell & Co. of an answer or motion for summary judgment. This dismissal is without prejudice and dismisses Peat, Marwick, Mitchell & Co. only.

Respectfully submitted,

HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON

By Claire V Eagan
Claire V. Eagan
4100 Bank of Oklahoma Tower
One Williams Center
Tulsa, Oklahoma 74172
(918) 588-2700

ATTORNEYS FOR PLAINTIFF
BROWN J. AKIN, JR.

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of February, 1988, a true and correct copy of the foregoing Notice of Dismissal was mailed to the following with proper postage prepaid thereon:

Vic Bird
Chapel, Wilkinson, Riggs,
Abney & Henson
502 West Sixth Street
Tulsa, OK 74119
ATTORNEYS FOR DEFENDANT
BRADLEY L. JOHNSON

S. M. Fallis, Jr.
Thomas P. Nally
Nichols, Wolfe, Stamper,
Nally & Fallis
Suite 400
124 E. 4th St.
Tulsa, OK 74103
ATTORNEYS FOR
WESLEY R. McKINNEY

Charles W. Shipley
Suite 3401
First National Tower
Tulsa, OK 74103
ATTORNEYS FOR DEFENDANT
DWIGHT A. PILGRIM

Jack L. McNulty, Jr.
Savage, O'Donnell, Scott,
McNulty & Affeldt
Suite 300
202 West 8th Street
Tulsa, OK 74119
ATTORNEYS FOR LONNIE ECK,
TRUSTEE IN BANKRUPTCY FOR
SUNBELT BANCORPORATION, INC.

Jerry Reed
Jerry Reed, Inc.
P. O. Box 700239
Tulsa, OK 74170-0239

and

Joseph Farris
Feldman, Hall, Franden,
Woodard & Farris
Park Center Bldg.
525 S. Main, Suite 1400
Tulsa, OK 74103-4609
ATTORNEYS FOR DEFENDANT
WILMA WOOD

Roy C. Breedlove
Graydon Dean Luthey, Jr.
Jones, Givens, Gotcher,
Doyle & Bogan, Inc.
3800 First National Tower
Tulsa, OK 74103
ATTORNEYS FOR DEFENDANT
PEAT, MARWICK, MITCHELL & CO.

Claire V Egan

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEB 8 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

BOBBY C. JACKSON,

Plaintiff,

v.

OTIS R. BOWEN, M.D.,
Secretary of Health and
Human Services,

Defendant.

No. 83-C-644-B

O R D E R

This matter comes before the Court for an award of attorney's fees for Plaintiff, Bobby C. Jackson. The United States Attorney, on behalf of the Secretary of Health and Human Services, confesses the amount of the award.

Plaintiff is hereby awarded the sum of Five Thousand Sixty Three and 26/00 Dollars, as and for attorney's fees and costs.

IT IS SO ORDERED, this 8th day of February, 1988.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 8 1988

BOBBY C. JACKSON,

Plaintiff,

v.

OTIS R. BOWEN, M.D.,
Secretary of Health and
Human Services,

Defendant.

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 83-C-644-B

J U D G M E N T

In keeping with the order entered this date, Judgment is hereby entered in favor of the Plaintiff, Bobby C. Jackson, against the Defendant, Otis R. Bowen, M.D., Secretary of Health and Human Services, in the amount of Five Thousand Sixty Three and 26/100 Dollars (\$5,063.26), as and for attorney's fees and costs.

DATED this 8th day of February, 1988.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 8 1988

JOHN DEERE COMPANY,

Plaintiff,

v.

DUNCAN D. MINSON,

Defendant.


Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 87-C-722-B

JUDGMENT - ATTORNEYS' FEES

In keeping with the order entered this date, Judgment is hereby entered in favor of the Plaintiff, John Deere Company, against the Defendant, Duncan D. Minson, in the amount of One Thousand Four Hundred Fifty Seven and 50/100 Dollars (\$1,457.50), as and for attorney's fees with interest thereon to run at the rate of 7.14% per annum from the date hereon.

DATED this 8 day of February, 1988.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

STATE FARM MUTUAL AUTOMOBILE INSURANCE)
COMPANY, an Illinois corporation,)

Plaintiff,)

-vs-

NO. 87-C-82-BT

DAIRYLAND INSURANCE COMPANY, a foreign)
corporation,)

Defendant.)

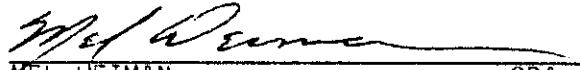
FILED

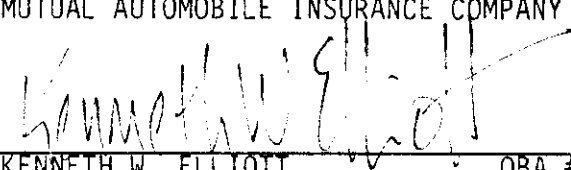
FEB 8 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

STIPULATION OF DISMISSAL WITH PREJUDICE

The parties hereby stipulate that the captioned cause has been
settled and that plaintiff dismisses the cause with prejudice to refiling.


MEL WEIMAN OBA #11562
of SECREST & HILL
1515 East 71st Street, Suite 200
Tulsa, OK 74136
ATTORNEYS FOR PLAINTIFF, STATE FARM
MUTUAL AUTOMOBILE INSURANCE COMPANY


KENNETH W. ELLIOTT OBA #2686
of GREEN, JAMES, WILLIAMS & ELLIOTT
P.O. Box 2248
Oklahoma City, OK 73101-2248
ATTORNEYS FOR DEFENDANT, DAIRYLAND
INSURANCE COMPANY

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEB 8 1988

ADAM WAYNE STERLING,

Plaintiff,

v.

FRANK THURMAN, Sheriff, Tulsa
County; JOHN DOE, Warden,
TULSA CITY-COUNTY JAIL, City
of Tulsa, County of Tulsa; and
SOUTHWESTERN BELL TELEPHONE
COMPANY,

Defendants.

Jack C. Silver, Clerk
U.S. DISTRICT COURT

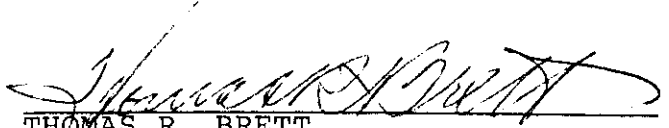
No. 86-C-763-B CONS.
In Re: 86-C-803-B

ORDER

This matter comes before the Court on Defendant Southwestern Bell Telephone Company's motion for summary judgment filed November 19, 1987, and Defendants Frank Thurman, Sheriff of Tulsa County, and the Board of County Commissioners of Tulsa County's motion for summary judgment filed November 19, 1987. Plaintiff, Adam Wayne Sterling, has failed to respond.

Local Court Rule 14(a) and (b) states failure to file a memoranda in opposition to these motions constitutes waiver of objection and a confession of the matters raised. The Court has reviewed the matters raised by Defendants and finding no objection grants all Defendants' motions for summary judgment.

IT IS SO ORDERED, this 8th day of February, 1988.


THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 5 1988

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES E. LANGSTER,

Defendant.

Jr. C. Silver, Clerk
U.S. DISTRICT COURT

CIVIL ACTION NO. 87-C-748-B

DEFAULT JUDGMENT

This matter comes on for consideration this 5th day of February, 1988, the Plaintiff appearing by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney, and the Defendant, Charles E. Langster, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Charles E. Langster, was served with Summons and Complaint on December 29, 1987. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant,

Charles E. Langster, for the principal sum of \$973.50, plus interest at the rate of 9 percent per annum and administrative costs of \$.63 per month from September 13, 1986, until judgment, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus costs of this action.

UNITED STATES DISTRICT JUDGE

PEP/mp

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

BARBER-COLMAN, a Delaware
corporation,

Plaintiff,

vs.

ENERCON, INC., an Oklahoma
corporation, and THOMAS W.
REINHART, an individual,

Defendants & Third
Party Plaintiffs,

vs.

PROPERTY COMPANY OF AMERICA,
a Texas corporation,

Third Party
Defendant.

No. 86-C-670-E


NOTICE OF
DISMISSAL WITHOUT PREJUDICE

Enercon, Inc., the defendant and third party plaintiff herein, hereby gives its notice that it has this date dismissed its Third-Party Complaint filed in this matter against Property Company of America, a Texas corporation, without prejudice to refiling.

Dated February 4, 1988

ENERCON, INC.

By


Phil Frazier, Esq.
Frazier, Smith & Phillips
1424 Terrace Drive
Tulsa, OK 74104
Attorneys for Enercon, Inc.

CERTIFICATE OF MAILING

I hereby certify that on this ✓ day of February, 1988, a true and correct copy of the foregoing Notice of Dismissal Without Prejudice has been mailed to the following:

John T. Schmidt, Esq.
Shirley Guntharp, Esq.
Hall, Estill, Hardwick, Gable,
Collingsworth & Nelson
4100 Bank of Oklahoma Tower
One Williams Center
Tulsa, OK 74172
Attorneys for Plaintiff,
Barber-Colman Company

Craig Blackstock, Esq.
320 S. Boston, Suite 1605
Tulsa, OK 74103
Attorney for Third Party Defendant,
Property Company of America



Phil Frazier

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEB -5 1988

LINDA NEWSOME, GARY NEAL,
RICHARD DICKY, GEORGE DAVIS,
RICHARD NAUMAN, DOUG TATE and
WILLIAM BRENNER II,

Plaintiffs,

vs.

RTC TRANSPORTATION, INC.,
and CITICORP INDUSTRIAL
CREDIT, INC.,

Defendants.

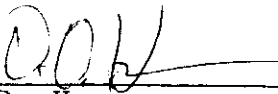
JACK C. SILVER, CLERK
U.S. DISTRICT COURT

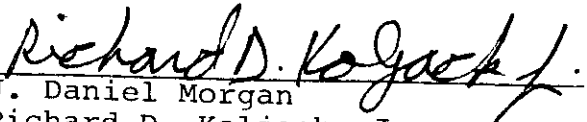
No. 86-C-351-E

STIPULATION OF DISMISSAL
WITH PREJUDICE OF ALL CLAIMS

The Plaintiffs, and each of them, and the Defendant,
Citicorp Industrial Credit, Inc. ("Citicorp"), pursuant to
Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure,
hereby file this Stipulation of Dismissal with Prejudice.
The Plaintiffs, and each of them, hereby dismiss with prejudice
all claims made against Citicorp in the above-captioned case.
Citicorp hereby dismisses with prejudice its counterclaims
against Plaintiffs asserted in the above-captioned case.

DATED this 5th day of February, 1988.


D.D. Hayes
BONDS, MATTHEWS & HAYES
P.O. Box 1906
Muskogee, OK 74402-1906
ATTORNEYS FOR PLAINTIFFS


J. Daniel Morgan
Richard D. Koljack, Jr.
GABLE & GOTWALS
2000 Fourth National Bank Bldg.
Tulsa, Oklahoma 74119
(918) 582-9201
ATTORNEYS FOR DEFENDANT, CITICORP
INDUSTRIAL CREDIT, INC.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 5 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

DOUG BINGAMON,

Plaintiff,

vs.

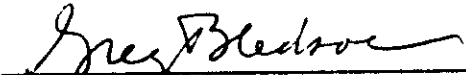
MICKEY HURT, TERRY RUSSELL,
RON SIERER, and THE CITY OF
SAPULPA, OKLAHOMA, a
municipal corporation,

Defendants.

No. 87-C-696-B

PLAINTIFF'S DISMISSAL OF DEFENDANT RON SIERER
WITHOUT PREJUDICE

The plaintiff, by and through his attorney,
pursuant to Fed.R.Civ.P. 41(a)(1)(i), hereby dismisses this
action against defendant Ron Sierer, without prejudice.

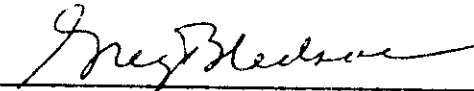

D. Gregory Bledsoe
1515 South Denver
Tulsa, Oklahoma 74119-3828
(918) 599-8118

Attorney for Plaintiff

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of
February, 1988, I mailed a true and correct copy of the
above and foregoing dismissal, with proper postage thereon
fully prepaid, to: Mr. Jon B. Comstock, of Rosenstein, Fisk
& Ringold, 525 South Main, Suite 300, Tulsa, Oklahoma 74103;

and Mr. John H. Lieber, of Knight, Wagner, Stuart, Wilkerson
& Lieber, Post Office Box 1560, Tulsa, Oklahoma 74101-1560,
attorneys for defendants herein.



D. Gregory Bledsoe

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

F I L E D

FEB 5 1988

MOHAMMED S.A. CHOWDHURRY,

Plaintiff,

vs.

KETTLE RESTAURANTS, INC.,
GLEN TWILLEY, and CLYDE PERRY,

Defendants.

Jack C. Silver, Clerk
U.S. DISTRICT COURT

Case No. 87-C-1048B

ORDER

There being no response to the Defendants' Motion To Dismiss filed January 5, 1988, and more than ten (10) days having passed since the filing of the motion and no extension of time having been sought by Plaintiff, the Court, pursuant to Local Rule 14(a), as amended effective March 1, 1981, concludes that Plaintiff has therefore waived any objection or opposition to Defendants' Motion To Dismiss.

Defendants' Motion To Dismiss Counts three and four of Plaintiff's Complaint is therefore granted.

ORDERED this 5th day of February, 1988.

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

SCOTT EQUIPMENT COMPANY,)
)
Plaintiff,)

vs.)

Case No. 86-C-406-E

B&F CONSTRUCTION CO., INC.,)
et al.,)
)
Defendants.)

ATOKA GAS GATHERING SYSTEM,)
INC.,)
)
Third-Party)
Plaintiff,)

vs.)

MORGAN HINES & ASSOCIATES,)
INC.,)
)
Third-Party)
Defendant.)

FILED

JAN 29 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

STIPULATION FOR DISMISSAL AND ORDER OF DISMISSAL

Plaintiff, Scott Equipment Company, defendant B&F Construction Co., Inc., defendant and third-party plaintiff Atoka Gas Gathering System, Inc., and third-party defendant Morgan Hines & Associates, Inc., each hereby stipulate by and through their respective counsel as follows:

1. All claims not already reduced to judgment on file in this action shall be dismissed without prejudice as to all parties pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

2. Each party shall bear its own costs and attorneys' fees in this action, except as otherwise previously ordered by the Court.

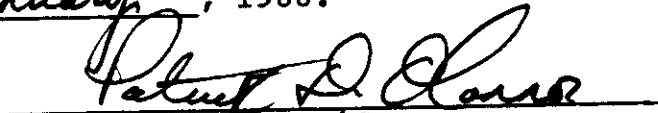
DATED: 28th day of January, 1988.



Blake K. Champlin
SHIPLEY & SCHNEIDER
3401 First National Tower
Tulsa, Oklahoma 74103
(918) 582-1720

ATTORNEYS FOR PLAINTIFF
SCOTT EQUIPMENT COMPANY

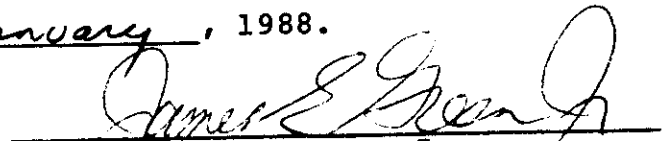
DATED: 28th day of January, 1988.



Patrick D. O'Connor
MOYERS, MARTIN, SANTEE,
IMEL & TETRICK
320 South Boston, Suite 920
Tulsa, Oklahoma 74103

ATTORNEYS FOR DEFENDANT AND
THIRD-PARTY PLAINTIFF and
TRUSTEE OF ATOKA GAS GATHERING
SYSTEM, INC.

DATED: 28th day of January, 1988.



James E. Green, Jr.
COMFORT, LIPE & GREEN
2100 Mid-Continent Tower
Tulsa, Oklahoma 74103

ATTORNEY FOR THIRD-PARTY DEFENDANT
MORGAN HINES & ASSOCIATES, INC.

DATED: 28th day of January, 1988.



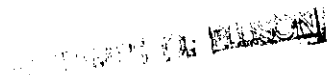
Thomas M. Atkinson
415 Mid-Continent Tower
Tulsa, Oklahoma 74103

ATTORNEY FOR DEFENDANT
B&F CONSTRUCTION CO., INC.

ORDER

IT IS ORDERED that all claims not already reduced to judgment on file in this action are hereby dismissed with prejudice.

DATED: _____ day of February, 1988.



Honorable James O. Ellison,
United States District Judge

FILED

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREG S. GEORGE,

Defendant.

CIVIL ACTION NO. 87-C-772-C


NOTICE OF DISMISSAL

COMES NOW the United States of America by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Phil Pinnell, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 4th day of February, 1988.

UNITED STATES OF AMERICA

TONY M. GRAHAM
United States Attorney


PHIL PINNELL
Assistant United States Attorney
3600 United States Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 4th day of February, 1988, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Mr. Greg S. George, Post Office Box 98, Leonard, Oklahoma 74043.


Assistant United States Attorney

misc/33

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MYRTLE V. MORGAN,

Plaintiff,

vs.

BILLY JAKE MYERS, d/b/a
RHINELAND AGRI-SHIPPER,
d/b/a MYERS GRAIN AND
FERTILIZER; CITIZENS NATIONAL
ASSURANCE COMPANY, a New Mexico
Corporation; PROTECTIVE CASUALTY
INSURANCE COMPANY, a Missouri
Corporation, SUPERINTENDENT OF
INSURANCE of the STATE OF NEW
MEXICO, LIQUIDATION DIVISION,
STATE BOARD OF INSURANCE,
Austin, Texas, R.A.S. TRUCKING,
INC., NEW MEXICO PROPERTY and
CASUALTY INSURANCE GUARANTY
FUND,

Defendants.

No. 87-C-863 B ✓

87-C-644-B

FILED

FEB - 4 1988

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

O R D E R

CITIZENS NATIONAL ASSURANCE COMPANY and LIQUIDATION DIVISION,
STATE BOARD OF INSURANCE, Austin, Texas are dismissed without
prejudice.

Thomas R. Pratt
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

PATRICIA A. PATTEN and WILLIAM
E. PATTEN

Plaintiff(s),

vs.

No. 87-C-579-B

DEAN MILLER

Defendant(s).

FILED

FEB - 3 1988

Jack C. Silver, Clerk
U. S. DISTRICT COURT

JUDGMENT DISMISSING ACTION
BY REASON OF SETTLEMENT

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this Judgment by United States mail upon the attorneys for the parties appearing in this action.

Dated this 3rd day of FEBRUARY, 19 88.


UNITED STATES DISTRICT JUDGE
THOMAS R. BRETT

FEB -3 1938

JACK C. SILVER, CLERK
DISTRICT COURT

Defendant

§

CASE NO. 87-C-861 B

STIPULATION FOR DISMISSAL

Dated this 3rd day of February, 1988.

By

Attorneys for Eastman Dillon Oil
& Gas Associates

NORTHERN NATURAL GAS CO., a division
of ENRON CORP., a Delaware corporation

By John T. Byrd
W/ Robert Brown
John T. Byrd
Miller, Bristow & Brown
3900 Two Houston Center
Houston, Texas 77010
713/759-1234

Attorneys for Northern Natural Gas Co.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB - 2 1988

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

INTERNATIONAL TOURS, INC.,)
a Colorado corporation,)
Plaintiff,)

vs.)

Case No. 87-C-642-B

DONNA LEEWRIGHT, MIKE)
LEEWRIGHT, and RIDON, INC.,)
doing business as INTERNATIONAL)
TOURS OF OWASSO,)

Defendants,)

AND)

Case No. 87-C-670-C

BUDDY EARL PROFFITT and)
ANNETTE PROFFITT, doing)
business as INTERNATIONAL)
TOURS - ONE MEMORIAL PLACE,)

Defendants,)

AND)

Case No. 87-C-670-C
(Consolidated)

MARTIN McMILLIAN, doing)
business as INTERNATIONAL)
TOURS OF BROOKSIDE,)

Defendant.)

**ORDER DISMISSING CLAIM AGAINST
DONNA LEEWRIGHT, MIKE LEEWRIGHT and
RIDON, INC., WITHOUT PREJUDICE**

The Plaintiff's Application for Order Dismissing Claim Against Donna Leewright, Mike Leewright and Ridon, Inc. comes on before the Court. The Court, for good cause shown, finds that the Application should be granted.

It is therefore ordered that the Plaintiff's Action against Donna Leewright, Mike Leewright and Ridon, Inc. is dismissed without prejudice.

S/ THOMAS R. BRETT
United States District Judge

Entered

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

TRANS UNION LEASING
CORPORATION, a Delaware
corporation,

Plaintiff,

vs.

JERRY EVATT and CAROL
EVATT, husband and wife,

Defendants.

Case No. 87-C-447 C

FILED

FEB 2 - 1988

ORDER

Jack C. Silver, Clerk
U.S. DISTRICT COURT

THIS cause comes on for hearing before the undersigned Judge upon the Application to Tax Attorneys Fees and Affidavit filed herein by the plaintiff, Trans Union Leasing Corporation, and it appearing that the parties have stipulated as to the taxing of attorneys fees as requested therein, and having reviewed the Application and Affidavit and being fully advised in the premises, the Court finds, and

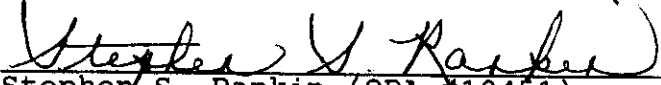
IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Trans Union Leasing Corporation, have further judgment against the defendants, Jerry Evatt and Carol Evatt, in the amount of \$1,313.75, for reasonable attorneys fees for services rendered in this Court by the attorneys for the plaintiff. The Court retains jurisdiction to tax reasonable attorneys fees subsequently incurred by

plaintiff in pursuing a deficiency judgment, upon proper application.

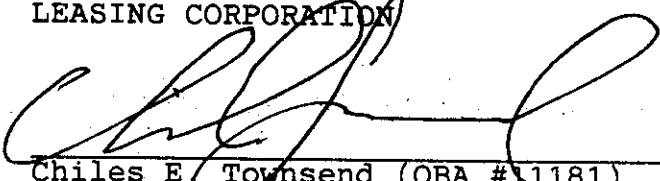
(Signed) H. Dale Cook

H. DALE COOK
U. S. DISTRICT COURT JUDGE

APPROVED:


Stephen S. Rankin (OBA #10451)
English, Jones & Faulkner
1700 Fourth National Bank Bldg.
Tulsa, Oklahoma 74119
(918) 582-1564

ATTORNEYS FOR PLAINTIFF TRANS UNION
LEASING CORPORATION


Chiles E. Townsend (OBA #11181)
Holmes & Townsend
Post Office Box 750
Ponca City, Oklahoma 74602
(405) 765-6723

ATTORNEYS FOR DEFENDANTS JERRY EVATT
AND CAROL EVATT

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,
Plaintiff,

vs.

PAUL DWAIN OTT, D.O.,
Defendant.

FEB - 2 1988

Jack C. Silver, Clerk
U. S. DISTRICT COURT

) CIVIL ACTION NO. 86-C-1073-B

AMENDED JUDGMENT

This matter comes on for consideration this 2nd day of February, 1988, the Plaintiff appearing by the Plaintiff, Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Paul Dwain Ott, D.O., appearing by his attorney of record Lynn A. Mundell, of Kivell and Mundell.

The Court being fully advised and having examined the file herein, finds that the Defendant, Paul Dwain Ott, D.O., has agreed that he is indebted to the Plaintiff, United States of America, in the amounts hereinafter set forth.

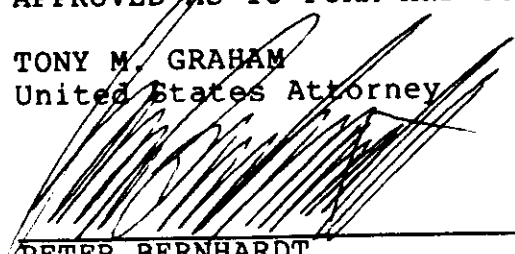
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the Plaintiff have and recover judgment against the Defendant, Paul Dwain Ott, D.O., in the amount of \$49,804.54 (principal \$35,440.00, accrued interest \$14,364.54), plus interest from the date of this judgment until paid at the current legal rate of 7.14 percent per annum until paid, plus costs of this action.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:

TONY M. GRAHAM
United States Attorney



PETER BERNHARDT
Assistant United States Attorney
3600 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ONE 1985 LINCOLN MARK VII,)
FLORIDA LICENSE NO. 589-DJR,)
et al.,)
)
Defendants.) Civil Action No. 87-C-922-E

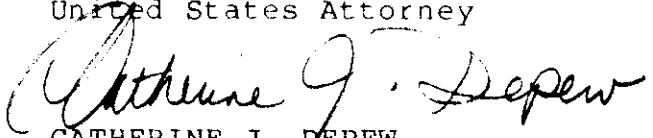
NOTICE OF DISMISSAL

Plaintiff, the United States of America, by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Catherine J. Depew, Assistant United States Attorney, hereby gives notice that the above-styled action is hereby dismissed without prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure as to the defendant property described as:

One Maroon 1985 Lincoln Mark VII,
Florida License No. 589-DJR

Respectfully submitted,

TONY M. GRAHAM
United States Attorney


CATHERINE J. DEPEW
Assistant United States Attorney
3600 U.S. Courthouse
Tulsa, Oklahoma 74103
(918) 581-7463

FILED
CLERK
OF
THE
COURT
1st
day of Feb. 1988
S/ Catherine Depew

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

FEB 1 1988

Airlines Reporting Corporation

Plaintiff(s),

vs.

Anna Wray

Defendant(s).

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 86-C-845-E

O R D E R

Rule 36(a) of the Rules of the United States District Court for the Northern District of Oklahoma provides as follows:

(a) In any case in which no action has been taken by the parties for six (6) months, it shall be the duty of the Clerk to mail notice thereof to counsel of record or to the parties, if their post office addresses are known. If such notice has been given and no action has been taken in the case within thirty (30) days of the date of the notice, an order of dismissal may in the Court's discretion be entered.

In the action herein, notice pursuant to Rule 36(a) was mailed to counsel of record or to the parties, at their last address of record with the Court, on December 1, 19 87. No action has been taken in the case within thirty (30) days of the date of the notice.

Therefore, it is the Order of the Court that this action is in all respects dismissed. as to defendant Anna Wray.

Dated this 29th day of June, 19 88.


UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA FEB -1 1988

JACK C. SIMON, CLERK
U.S. DISTRICT COURT

KEITH L. BELKNAP, et al.,
Plaintiffs,

vs.

AMWAY CORPORATION, et al.,
Defendants.

87-C-795 B

NOTICE OF DISMISSAL

Come now the Plaintiffs KEITH L. BELKNAP and CHAMPIONS ORGANIZATION, INC., and move to dismiss this matter without prejudice against the Defendant RICK SETZER. Submitted this 1st day of February, 1988.

Mark D. Lyons
MARK D. LYONS, OBA #5590
LYONS & CLARK
Attorney for Plaintiff
Two Main Plaza
616 S. Main, Suite 201
Tulsa, Oklahoma 74119
(918) 599-8844

CERTIFICATE OF MAILING

I hereby certify that I mailed a true and correct copy of the above styled Dismissal to the attorneys for the parties, Mr. C.S. Lewis, III, Mr. William C. Connor and Ms. Patricia Neel of Robinson, Boese, Orbison & Lewis, P.O. Box 1046, Tulsa, Oklahoma, 74101 and Mr. Douglas L. Inhofe and Ms. Katie Colopy of Conner & Winters, 2400 First National Tower, Tulsa, Oklahoma. 74103, this 1st day of February, 1988, with proper postage paid thereon.

Mark D. Lyons
MARK D. LYONS

Entered

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FEDERAL DEPOSIT INSURANCE
CORPORATION,

Plaintiff,

VS.

DAN McALVAIN, and DICK McALVAIN,

Defendants.

No. 87-C-338 C

FILED

FEB 1 - 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

JOURNAL ENTRY JUDGMENT

NOW on this 29th day of January, 1988, the above-styled cause comes on before the Court. The Plaintiff appears by and through its attorney, Joel R. Hogue, and the Defendant, Dick McAlvain, appears by and through his attorney, Curtis J. Biram. The Court being fully advised and having reviewed the pleadings on file herein finds as follows:

1. That the Defendant, Dick McAlvain, was or is a resident of the State of Oklahoma and the transactions out of which this cause of action took place were in the Northern District of Oklahoma.

2. That on or about December 21, 1984, Dick McAlvain, for good and valuable consideration made, executed and delivered to the First National Bank of Skiatook ("Bank"), a promissory note ("Note 1"), in the principal sum of \$7,604.69, payable on June 21, 1985 with accrued interest.

3. That contemporaneous with the execution of Note 1, Dick McAlvain executed and delivered to the Bank his security agreement ("Security Agreement 1") whereby he pledged as collateral for Note 1 the following:

1965 Ford Mustang, #5F07C670961 ("1965 Ford Mustang");

1976 Lincoln Continental 2-door #6Y89A863281.

4. That Dick McAlvain's obligation to pay the principal and accrued interest on Note 1 was extended until July 15, 1986.

5. That Dick McAlvain has been in default upon his obligations under Note 1 and Security Agreement 1 since July 15, 1986.

6. That there is currently due and owing under Note 1 the principal amount of \$6,033.65, together with accrued interest of \$1,441.28 as of January 29, 1988, and interest continues to accrue at the default rate of 15-1/2% per annum or \$2.56 per diem.

7. That on or about March 31, 1986, Dick McAlvain in exchange for good and valuable consideration made, executed and delivered to the Bank a promissory note ("Note 2"), in the principal sum of \$1,548.81, payable in monthly installments beginning April 30, 1986, with the final payment of principal and accrued interest due on March 30, 1987.

8. That contemporaneous with the execution of Note 2, Dick McAlvain executed and delivered to the Bank his security agreement ("Security Agreement 2") pledging the 1965 Ford Mustang described in paragraph 3 as collateral for Note 2. The Bank perfected its security interest in the 1965 Ford Mustang by filing its lien entry form on April 29, 1986.

9. That Dick McAlvain is in default upon his obligations under Note 2 and Security Agreement 2 and after giving credit for interest rebate and unearned credit life insurance there is past due and owing upon Note 2 principal and interest of \$1,264.37 as of January 29, 1988, and interest continues to accrue on the outstanding principal balance at the rate of 13-1/2% per annum.

10. That on or about April 17, 1985, Dick McAlvain made, executed and delivered to the Bank a promissory note ("Note 3"), in the principal sum of \$17,942.33, payable in 60 monthly installments with the final payment due on April 17, 1990.

11. That contemporaneous with the execution of Note 3, Dick McAlvain executed and delivered to the Bank his security agreement ("Security Agreement 3") in the following:

1983 Komfort 35-5th Wheel Travel Trailer, #1000368 ("Travel Trailer").

12. That Dick McAlvain is in default upon his obligations under Note 3 and Security Agreement 3 and after giving credit for interest rebate and unearned credit life insurance there is past due and owing on Note 3 principal and interest of \$27,774.66 as of January 29, 1988, and interest continues to accrue on the outstanding principal balance at the rate of 15-1/2% per annum.

13. That on January 15, 1987, the Comptroller of the Currency declared the Bank to be insolvent and the Comptroller of the Currency tendered to the FDIC appointment as the Receiver of the Bank. The FDIC accepted appointment and in its capacity as Receiver the Bank sold certain assets of the Bank to the FDIC in its corporate capacity. Among the assets sold to the FDIC in its corporate capacity were the Notes and Security Agreements described above.

14. The FDIC is the proper plaintiff and properly commenced this action against Dick McAlvain on August 14, 1987. That pursuant to this Court's Order of Delivery issued November 5, 1987, Dick McAlvain delivered to the FDIC the 1965 Ford Mustang on January 15, 1988, but he has not delivered the Travel Trailer to the FDIC.

15. That the FDIC has not yet sold the 1965 Ford Mustang, but that upon its sale in a commercially reasonable manner pursuant to the provisions of the Oklahoma version of the Uniform Commercial Code, credit for proceeds received by the FDIC from the sale shall be applied in accordance with the Uniform Commercial Code and the terms and provisions of the promissory notes secured by the 1965 Ford Mustang.

16. That by virtue of the defaults described above, the FDIC is entitled to foreclose its security interest and liens sued upon in this cause as against Dick McAlvain in the 1965 Ford Mustang and that the right, title or interest claimed by Dick McAlvain

in the 1965 Ford Mustang is subject, junior and inferior to the lien of the FDIC under its Security Agreements.

17. That this Court has jurisdiction of this proceeding by virtue of 12 U.S.C. § 1819 and 28 U.S.C. § 1331 and § 1345. Venue is properly laid in this district pursuant to 28 U.S.C. § 1391(b).

18. IT IS THEREFORE, ORDERED ADJUDGED AND DECREED by this Court that the FDIC have and recover judgment in its favor and against the Defendant, Dick McAlvain, on Note 1 in the principal amount of \$6,033.65 together with accrued interest to January 29, 1988 of \$1,441.28 with interest continuing to accrue at the rate of \$2.56 per diem until paid.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the FDIC have and recover judgment in its favor and against the Defendant, Dick McAlvain on Note 2 in the amount of \$1,264.37 with interest continuing to accrue on the outstanding principal balance at the rate of 13-1/2% per annum.

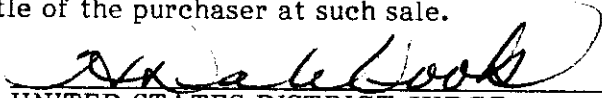
IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by this Court that the FDIC have and recover judgment in its favor and against the Defendant, Dick McAlvain on Note 3, in the amount of \$27,774.66, with interest continuing to accrue on the outstanding principal balance at the rate of 15-1/2% per annum.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the FDIC shall have and recover the costs of this action and attorney's fees from Dick McAlvain pursuant to the provisions of the Notes upon proper application to tax costs and attorney's fees.

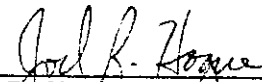
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the security interest and lien of the FDIC in the 1965 Ford Mustang be, and it is hereby, foreclosed against the interest of Dick McAlvain and the FDIC is entitled to the proceeds received upon sale of the 1965 Ford Mustang, pursuant to the provisions of the Oklahoma version of the Uniform Commercial Code and the proceeds shall be applied as follows:

- a. The reasonable expenses of retaking, holding, and preparing for sale, selling and the reasonable attorney's fees and legal expenses incurred by the FDIC; and
- b. The satisfaction of the indebtedness secured by the security interest under which the disposition is made.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the date of the sale or other disposition of the 1965 Ford Mustang, the interest of Dick McAlvain shall be forever barred and foreclosed of and from any claim or lien upon the 1965 Ford Mustang adverse to the right and title of the purchaser at such sale.


UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:


Joel R. Hogue
GABLE & GOTWALS
2000 Fourth National Bank Bldg.
Tulsa, Oklahoma 74119-1217
(918) 582-9201

ATTORNEYS FOR FEDERAL DEPOSIT
INSURANCE CORPORATION


Curtis J. Biram
~~2442 East 21st Street~~ 125 W. 15th St.
Tulsa, Oklahoma 74119

ATTORNEY FOR DEFENDANT,
DICK McALVAIN

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTIE HACKETT, a/k/a MATTIE
WRIGHT; VERNON WRIGHT, JR.;
CITY FINANCE COMPANY OF
OKLAHOMA, INC.; CITY
REINSURANCE LIFE COMPANY;
COUNTY TREASURER, Tulsa
County, Oklahoma; and BOARD
OF COUNTY COMMISSIONERS,
Tulsa County, Oklahoma,

Defendants.

FILED

NOV 1 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

CIVIL ACTION NO. 86-C-497-E

DEFICIENCY JUDGMENT

Now on this 29th day of Jan, 1988, there came on for hearing the Motion of the Plaintiff United States of America for leave to enter a Deficiency Judgment herein, said Motion being filed on the 4th day of November, 1987, and a copy of said Motion being mailed to Mattie Hackett, a/k/a Mattie Wright, 555 East 42nd Place North, Tulsa, Oklahoma 74106, and all counsel of record. The Plaintiff, United States of America, acting on behalf of the Administrator of Veterans Affairs, appeared by Tony M. Graham, United States Attorney for the Northern District of Oklahoma through Peter Bernhardt, Assistant United States Attorney, and the Defendant, Mattie Hackett, a/k/a Mattie Wright, appeared neither in person nor by counsel.

The Court upon consideration of said Motion finds that the amount of the Judgment rendered herein on August 7, 1986, in favor of the Plaintiff United States of America, and against the

Defendant, Mattie Hackett, a/k/a Mattie Wright, with interest and costs to date of sale is \$11,159.39.

The Court further finds that the appraised value of the real property at the time of sale was \$10,500.00.

The Court further finds that the real property involved herein was sold at Marshal's sale, pursuant to the Judgment of this Court entered August 7, 1986, for the sum of \$9,288.00 which is less than the market value.

The Court further finds that the said Marshal's sale was confirmed pursuant to the Order of this Court on the 22nd day of January, 1988.

The Court further finds that the Plaintiff, United States of America on behalf of the Administrator of Veterans Affairs, is accordingly entitled to a deficiency judgment against the Defendant, Mattie Hackett, a/k/a Mattie Wright, as follows:

Principal Balance as of 08/24/87	\$ 8,878.24
Interest	1,818.52
Late Charges	107.63
Appraisal	175.00
Management Broker Fees	<u>180.00</u>
TOTAL	\$11,159.39
Less Credit of Appraised Value	- <u>10,500.00</u>
DEFICIENCY	\$ 659.39

plus interest on said deficiency judgment at the legal rate of _____ percent per annum from date of deficiency judgment until paid; said deficiency being the difference between the amount of Judgment rendered herein and the appraised value of the property herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America on behalf of the Administrator of Veterans Affairs have and recover from Defendant, Mattie Hackett, a/k/a Mattie Wright, a deficiency judgment in the amount of \$659.39, plus interest at the legal rate of 7.14 percent per annum on said deficiency judgment from date of judgment until paid.

S/ JAMES C. ELSON

UNITED STATES DISTRICT JUDGE

PB/css

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALVIN LEEROY BURNS a/k/a ALVIN
BURNS a/k/a ALVIN L. BURNS;
JUDITH ANN BURNS a/k/a
JUDY BURNS; BRIERCROFT SERVICE
CORPORATION; COUNTY TREASURER,
Washington County, Oklahoma;
BOARD OF COUNTY COMMISSIONERS,
Washington County, Oklahoma,
BARTLESVILLE DISTRICT BELL
FEDERAL CREDIT UNION,

Defendants.

F I L E D

FEB 1 - 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

CIVIL ACTION NO. 87-C-791-C

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 29 day
of Jan, 1988. The Plaintiff appears by Tony M.
Graham, United States Attorney for the Northern District of
Oklahoma, through Nancy Nesbitt Blevins, Assistant United States
Attorney; the Defendants, County Treasurer, Washington County,
Oklahoma, and Board of County Commissioners, Washington County,
Oklahoma, appear by Lewis B. Ambler, Assistant District Attorney,
Washington County, Oklahoma; the Defendant, Bartlesville District
Bell Federal Credit Union, appears not, having previously filed
its Disclaimer of Interest; and the Defendants, Alvin Leeroy
Burns a/k/a Alvin Burns a/k/a Alvin L. Burns, Judith Ann Burns
a/k/a/ Judy Burns, and Briercroft Service Corporation, appear
not, but make default.

The Court being fully advised and having examined the file herein finds that the Defendants, Alvin Leeroy Burns a/k/a Alvin Burns a/k/a Alvin L. Burns and Judith Ann Burns a/k/a/ Judy Burns, acknowledged receipt of Summons and Complaint on September 30, 1987; that Defendant, Briercroft Service Corporation, acknowledged receipt of Summons and Complaint on or about October 9, 1987; that Defendant, Bartlesville District Bell Federal Credit Union, acknowledged receipt of Amended Complaint on December 4, 1987; and that Defendant, County Treasurer, Washington County, Oklahoma, acknowledged receipt of Summons and Complaint on October 8, 1987.

It appears that the Defendants, County Treasurer, Washington County, Oklahoma, and Board of County Commissioners, Washington County, Oklahoma, filed their Answer herein on October 20, 1987; that Defendant, Bartlesville District Bell Federal Credit Union, filed its Disclaimer of Interest on December 15, 1987; and that the Defendants, Alvin Leeroy Burns a/k/a Alvin Burns a/k/a Alvin L. Burns, Judith Ann Burns a/k/a/ Judy Burns, and Briercroft Service Corporation, have failed to answer and their default has therefore been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a certain mortgage note and for foreclosure of a mortgage securing said mortgage note upon the following described real property located in Washington County, Oklahoma, within the Northern Judicial District of Oklahoma:

The North 330 feet of the South 760 feet of the East Half of the Southeast Quarter of the Northeast Quarter of Section 4, Township 27 North, Range 13 East of the Indian Meridian, Washington County, Oklahoma.

The Court further finds that on May 10, 1985, Alvin Leeroy Burns and Judith Ann Burns executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, their mortgage note in the amount of \$40,500.00, payable in monthly installments, with interest thereon at the rate of twelve and one-half percent (12.5%) per annum.

The Court further finds that as security for the payment of the above-described note, Alvin Leeroy Burns and Judith Ann Burns executed and delivered to the United States of America, acting on behalf of the Administrator of Veterans Affairs, a mortgage dated May 10, 1985, covering the above-described property. Said mortgage was recorded on May 13, 1985, in Book 831, Page 590, in the records of Washington County, Oklahoma.

The Court further finds that the Defendants, Alvin Leeroy Burns a/k/a Alvin Burns a/k/a Alvin L. Burns and Judith Ann Burns a/k/a/ Judy Burns, made default under the terms of the aforesaid note and mortgage by reason of their failure to make the monthly installments due thereon, which default has continued, and that by reason thereof the Defendants, Alvin Leeroy Burns a/k/a Alvin Burns a/k/a Alvin L. Burns and Judith Ann Burns a/k/a/ Judy Burns, are indebted to the Plaintiff in the principal sum of \$40,684.33, plus interest at the rate of twelve

and one-half percent (12.5%) per annum from April 1, 1986 until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

The Court further finds that the Defendants, County Treasurer and Board of County Commissioners, claim no right, title, or interest in the subject real property.

The Court further finds that the Defendant, Briercroft Service Corporation, is in default and has no right, title, or interest in the subject real property.

The Court further finds that the Defendant, Bartlesville District Bell Federal Credit Union, disclaims any interest in the subject real property.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendants, Alvin Leeroy Burns a/k/a Alvin Burns a/k/a Alvin L. Burns and Judith Ann Burns a/k/a/ Judy Burns, in the principal sum of \$40,684.33, plus interest at the rate of twelve and one-half percent (12.5%) per annum from April 1, 1986 until judgment, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus the costs of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Defendants, Briercroft Service Corporation, Bartlesville District Bell Federal Credit Union, and County Treasurer and Board of

County Commissioners, Washington County, Oklahoma, have no right, title, or interest in the subject real property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants, Alvin Leeroy Burns a/k/a Alvin Burns a/k/a Alvin L. Burns and Judith Ann Burns a/k/a/ Judy Burns, to satisfy the money judgment of the Plaintiff herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the sale as follows:

First:

In payment of the costs of this action accrued and accruing incurred by the Plaintiff, including the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff.

The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further Order of the Court.

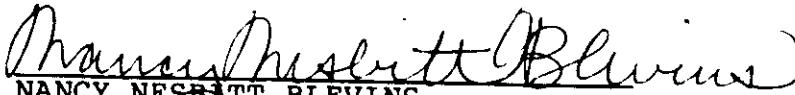
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.

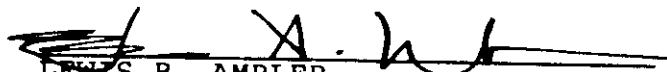
(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

APPROVED:

TONY M. GRAHAM
United States Attorney


NANCY NESBITT BLEVINS
Assistant United States Attorney


LEWIS B. AMBLER
Assistant District Attorney
Attorney for Defendants,
County Treasurer and
Board of County Commissioners,
Washington County, Oklahoma

NNB/css

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

EXECUTIVE OFFICE NETWORK, INC.,
a California corporation,

Plaintiff,

VS.

GREGORY D. LORSON,

Defendants.

No. 87-C-966 C

FILED

FEB 1 - 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

JUDGMENT

The defendant, Gregory D. Lorson having failed to plead or otherwise defend in this action and his default having been entered,

Now, upon application of the plaintiff and upon affidavit that defendant, Gregory D. Lorson, is indebted to plaintiff in the sum of \$250,000.00 plus interest at the contractual rate of \$65.75 per diem from September 27, 1987, that defendant, Gregory D. Lorson is not an infant or incompetent person, it is hereby,

ORDERED, AJUDGED AND DECREED that plaintiff recover of defendant, Gregory D. Lorson, the sum of \$250,000.00 with ~~accrued interest of \$~~ _____, accruing interest at the rate of \$65.75 per diem from this date until paid, and costs of this action. Attorney's fees will be awarded if properly applied for under the local rules. It is so ordered this 29 day of Jan, 1988.

(Signed) H. Dale Cook

U. S. District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE **FILED**
NORTHERN DISTRICT OF OKLAHOMA

JAN 11 1988

PARAGON INDUSTRIES, INC.
and CITY INSURANCE COMPANY,

Plaintiffs,

v.

WACHOB INDUSTRIES, INC.,
LTV STEEL, INC., and
ARMCO, INC.,

Defendants.

Jack C. Silver, Clerk
U.S. DISTRICT COURT

87-C-420-E

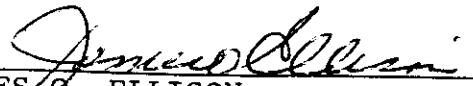
ORDER

The court has for consideration the Report and Recommendation of the Magistrate filed January 7, 1988, in which the Magistrate recommended that plaintiffs' Motion to Remand (pleading #12) be granted. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues, the court has concluded that the Report and Recommendation of the Magistrate should be and hereby is affirmed.

It is therefore Ordered that plaintiffs' Motion to Remand (pleading #12) is granted, and the Application of Defendant Wachob Industries, Inc. to Assume Pendent Jurisdiction (pleading #11) is rendered moot.

Dated this 29th day of January, 1988.


JAMES G. ELLISON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE FOURTH NATIONAL BANK OF
TULSA, a national banking
association,

Plaintiff,

v.

JOE D. MODISETTE,

Defendant.

No. 87-C-684 C

FILED

FEB 1 - 1988

DEFAULT JUDGMENT

Jack C. Silver, Clerk
U.S. DISTRICT COURT

NOW on this 29 day of January, 1988, comes on before the Court the Plaintiff's Application for Entry of Default Judgment ("Motion"). The Court notes that the Plaintiff Fourth National Bank of Tulsa ("Fourth National") is represented by its attorneys of record, Gable & Gotwals, Inc. by Robert S. Glass, who consents to the entry of this judgment as evidenced by his signature attached hereto, and the Court also notes that Defendant Joe D. Modisette ("Modisette") appears not.

The Court makes the following FINDINGS upon review of the record herein:

1. This Court has jurisdiction over the subject matter pursuant to 12 U.S.C. § 1332 and venue is properly laid in the Northern District of Oklahoma, pursuant to 12 U.S.C. § 1391. This Court has in personam jurisdiction over Modisette, pursuant to 12 Okla. Stat. (1984) § 2001, et seq.

2. Fourth National filed its Complaint herein on August 18, 1987. Service of process upon Modisette was obtained on August 25, 1987, including service of a copy of the Complaint and Summons filed herein. Modisette has not filed any pleading nor made any appearance in these proceedings and thus is in default.

3. Each and every allegation contained in paragraphs 6 through 17 of Fourth National's Complaint, inclusive, are taken as true and Fourth National is entitled to an in

personam judgment against Modisette on its first claim for relief in the principal sum of \$351,136.66, together with accrued interest, as of December 9, 1986, in the amount of \$91,280.62, plus interest accruing thereon at the rate provided in the Bridges Note (as that term is defined in the Complaint filed herein) until date of judgment, interest accruing from the date of judgment at 7.14% until paid in full, a reasonable attorneys' fee of ^{750.} \$1,500.00 and all other costs of this action; and Fourth National is entitled to judgment on its second claim for relief in the principal sum of \$58,568.17, together with accrued interest, as of December 9, 1986, in the amount of \$16,725.91, interest continuing to accrue thereon until the date of judgment at the rate provided in the Modisette Note (as described in the Complaint filed herein), interest accruing from the date of judgment at 7.14% until paid in full, a reasonable attorneys' fee of ^{750.} \$1,500.00 and all other costs of this action (all such amounts hereinabove set forth are collectively referred to as the "Modisette Indebtedness").

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by this Court that the Fourth National Bank of Tulsa shall have and recover an in personam judgment of and from the Defendant, Joe D. Modisette, in the amount of the Modisette Indebtedness hereinabove more fully set forth, for all of which let execution issue.

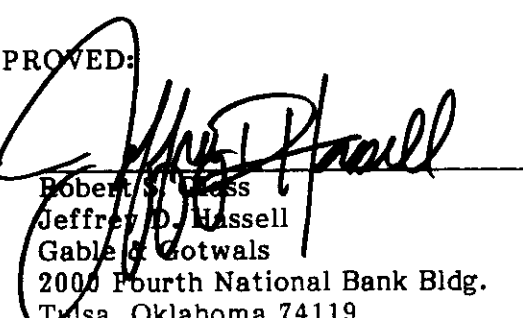
IT IS SO ORDERED, ADJUDGED AND DECREED.

(Signed) H. Gable

UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF OKLAHOMA

APPROVED:

By


Robert S. Glass
Jeffrey D. Hassell
Gable & Gotwals
2000 Fourth National Bank Bldg.
Tulsa, Oklahoma 74119
(918) 582-9201

COUNSEL FOR PLAINTIFF, FOURTH
NATIONAL BANK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 1 - 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BETTY L. MELTON,

Defendant.

CIVIL ACTION NO. 87-C-709-C

DEFAULT JUDGMENT

This matter comes on for consideration this 29 day of January, 1988, the Plaintiff appearing by Tony M. Graham, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendant, Betty L. Melton, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Betty L. Melton, acknowledged service of the Summons and Complaint on September 8, 1987. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant,

Betty L. Melton, for the principal sum of \$1,115.02, plus interest thereafter at the current legal rate of 7.14 percent per annum until paid, plus costs of this action.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

NNB:dj

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

1988 1 1988

THE BOARD OF TRUSTEES OF THE
PIPELINE INDUSTRY BENEFIT FUND,

Plaintiff,

vs.

JOHN DAIDONE, Individually, and
DAIDONE ELECTRIC COMPANY,

Defendants.

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 87-C-1053E

O R D E R

FOR GOOD cause shown, and upon motion of the Plaintiff, this
case is dismissed with prejudice this 15th day of Feb,
1988. Each side will bear its own costs and expenses.

James A. Silver
Judge, United States District Court

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUDY HARRIS, a/k/a Judy)
Crawford,)

Plaintiff,)

vs.)

INDEPENDENT SCHOOL DISTRICT)
NO. 16 OF MAYES COUNTY,)
OKLAHOMA, a/k/a Salina)
Public Schools, et al.,)

Defendants.)

Case No. 87-C-495-E

1 FEB 1 1988
Jack C. Silver, Clerk
U.S. DISTRICT COURT

ORDER

This matter comes on for consideration by this court on the joint stipulation of the plaintiff and defendants regarding dismissal with prejudice of the plaintiff's federal claims arising under the statutes and Constitution of the United States and the requested remanding of the remaining applicable state law claims, and the court, after reviewing the same, finds that the same should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that any and all federal claims that plaintiff has stated or may state under the statutes and Constitution of the United States arising out of the facts and circumstances as alleged in her original petition are hereby dismissed with prejudice, with each party to bear its own costs and attorney's fees.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED based on the stipulation of the parties, that the remaining applicable state law claims of plaintiff as contained in her petition are remanded

to the District Court of Mayes County, Oklahoma, from which they were originally removed by defendants, with each party to bear its own costs and attorney's fees, and the defendants are hereby allowed to withdraw their removal bond.

IT IS SO ORDERED this 29th day of Jan., 1988.

James A. Bellini
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE **FILED**
NORTHERN DISTRICT OF OKLAHOMA

ELMER H. BATTENFIELD,
Plaintiff,

v.

OTIS R. BOWEN, M.D.,
SECRETARY OF HEALTH AND
HUMAN SERVICES,

Defendant.

87-C-141-E

FEB 1 1988
Jack C. Silver, Clerk
U.S. DISTRICT COURT


ORDER

The court has for consideration the Amended Findings and Recommendations of the Magistrate filed December 29, 1987, in which the Magistrate recommended that the final decision of the Administrative Law Judge be reversed. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues, the court has concluded that the Amended Findings and Recommendations of the Magistrate should be and hereby are affirmed.

It is therefore Ordered that the final decision of the Administrative Law Judge is reversed, and plaintiff is found to be disabled and entitled to disability insurance benefits under §§216(i) and 233 of Title II of the Social Security Act, 42 U.S.C. §§416(i) and 423.

Dated this 29th day of January, 1988.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE